



Union Park

40 Sir John A MacDonald Boulevard

Demonstration Report
Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision
June 29, 2021



Prepared for Siderius Developments Ltd.

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1.0 Introduction

1.1 Executive Summary

Siderius Developments Ltd. is pursuing applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for 40 Sir John A MacDonald Boulevard, a 3.28-hectare parcel located at the southwest corner of the intersection of Sir John A MacDonald Boulevard and Union Street. This development is proposed to be situated on Anishinaabe and Haudenosaunee and the Huron-Wendat territories lands, which are also occupied by the Métis, Inuit, and other Indigenous peoples. This acknowledgment and the intent of the development is to ensure recognition of and respect for Indigenous people living and who have lived in this area.

The intent of the overall redevelopment, referred to as Union Park, Kingston, is to create a carefully designed, compact community with a healthy mix of uses, context-sensitive buildings, and well-formed and pedestrian-friendly open spaces. The intent is to animate the area by seamlessly integrating a mix of residential, commercial, and open space uses. The proposed plan derives from the desire to preserve and respect the heritage and context of the site through the respectful integration of modern content.

The proposed applications intend to divide the subject site into five blocks to permit the redevelopment of the subject site with three residential buildings, including a seniors' housing continuum of care community, a hotel and small-scale neighbourhood commercial uses, and large areas of open space.

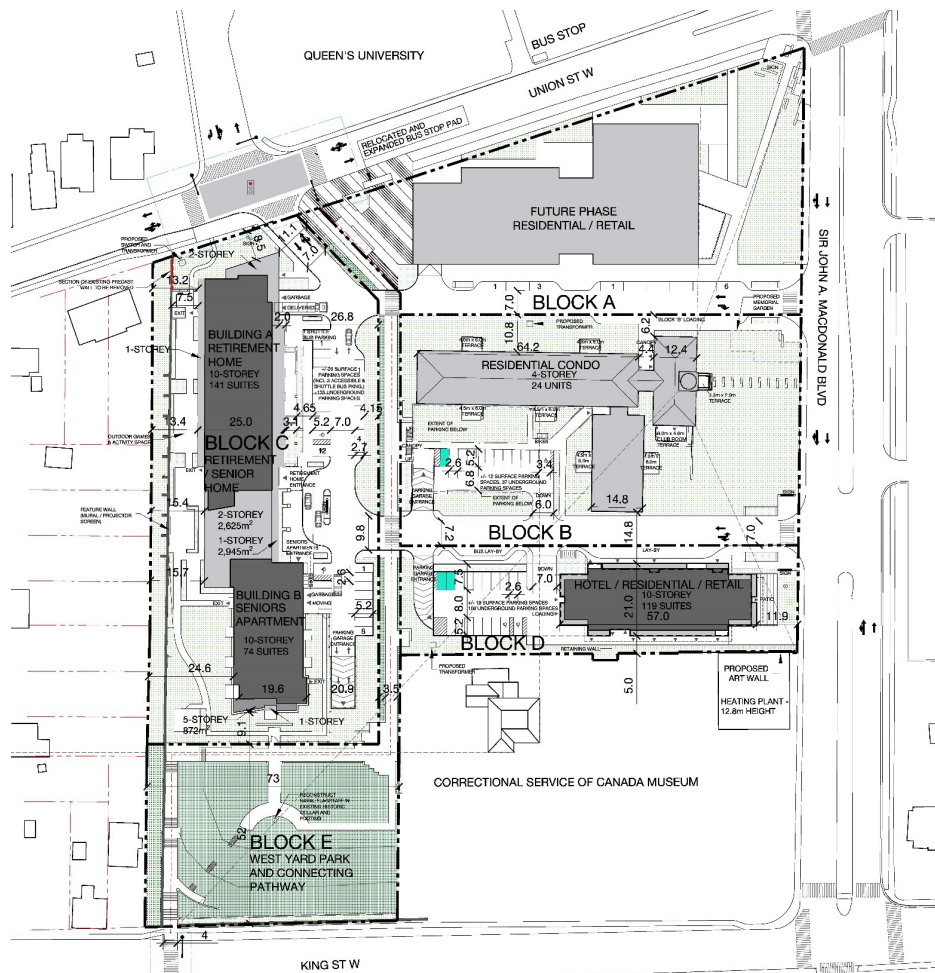


Figure 1: Concept plan (Source: Fotenn Planning + Design)

Block A is not proposed to be developed through the current applications, but is anticipated to be developed with a residential building with some ground floor commercial uses. Block B will consist of the rehabilitated former Prison for Women building which will include 24 residential units. Block C will be comprised of a two-storey link with two, eight-storey towers above for a total of 10-storeys, which will include a seniors' housing continuum of care consisting of seniors' apartments and retirement suites. Block D is proposed to include a 10-storey building consisting of 119 hotel suites and ground floor commercial space. Block E will consist of the West Yard Park and connectivity pathway, an area of open space to be retained and restored with additional landscaping, pedestrian pathways, and pedestrian features to be privately owned, but publicly accessible.

An Official Plan Amendment is necessary to re-designate the lands from Institutional to Residential and a site-specific policy area. A Zoning By-law Amendment is necessary to apply site-specific zones to each of the proposed blocks to allow the development as proposed and describe appropriate performance standards. A Holding Symbol is proposed be added to Block A to limit development until a future Zoning By-law Amendment is prepared to support the redevelopment of the block. Site-specific Multiple Family Dwelling (B3) Zones are proposed for Blocks B, C, and D which would permit the proposed residential, seniors' housing continuum of care use, and hotel. A site-specific Private Open Space (OS2) Zone is proposed for Block E to allow the proposed open space area of the development. An application for Draft Plan of Subdivision is required to subdivide the subject site as proposed.

Technical studies undertaken to support the proposed development include a Servicing and Stormwater Management Report, Traffic Impact and Parking Study, Noise Feasibility Study, Phase 1 & 2 Environment Site Assessment, Tree Inventory, Wind and Snow Load Study, Heritage Conservation Strategy, Archaeological Assessment, Urban Design and Shadow Study, and Landscape Strategy. The technical studies describe the requirements for the development of the lands as well as any mitigation measures necessary to address any potential adverse effects. They also identify the critically important built heritage resources and heritage views to be retained and protected through the development. Overall, the technical studies support the development as proposed.

The thoughtful design and overall site layout achieve a dramatic transformation of a property that for decades was cut off from the surrounding area and City of Kingston by prison walls. Using architecture, urban design, land use planning, landscape architecture, heritage conservation and engineering tools and strategies, the currently underutilized property and functionally obsolete former Prison for Women will be rehabilitated and intensified to not only create, but to also enhance the connections with the surrounding neighbourhood. Through the integration of open space, building design, a mix of uses, and site permeability, Union Park will become a key landmark anchor for the City. Currently overlooked, Union Park will become a dynamic development and destination for residents and visitors of Kingston.

The purpose of this report is to assess the appropriateness of the proposed development in the context of the surrounding area and the policy and regulatory framework applicable to the subject site. It is our opinion that the proposed development is consistent with the land use policies and strategic direction for the City of Kingston and that it represents an appropriate form of development and intensification.

1.2 Introduction

Fotenn Planning + Design has been retained by Siderius Developments Ltd. to prepare this Demonstration Report in support of applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for the property known as 40 Sir John A MacDonald Boulevard (the "subject site") in the City of Kingston. The purpose of these applications is to facilitate the redevelopment of the subject site with a mixed use development including residential uses, seniors' housing continuum of care, a hotel, small-scale neighbourhood commercial uses, and large areas of open space.

A pre-application meeting was held with City of Kingston staff which identified the necessary supporting studies. The following reports and plans are being submitted in support of the applications:

- / Conceptual Site Plan;

- / Draft Plan of Subdivision;
- / Survey;
- / Floor Plans, Elevations, and Renderings;
- / Servicing and Stormwater Management Report;
- / Traffic Impact and Parking Study;
- / Noise Impact Feasibility Study;
- / Phase 1 & 2 Environment Site Assessment and Phase 2 Addendum;
- / Wind and Snow Load Study;
- / Heritage Conservation Strategy;
- / Stage 1, 2, 3 & 4 Archaeological Assessments;
- / Urban Design and Shadow Study;
- / Landscape Master Plan;
- / Tree Inventory;
- / Application forms as submitted through the City's Online Development and Services Hub (DASH);
- / Application fees; and
- / This Demonstration Report.

The purpose of this report is to assess the appropriateness of the proposed development and the requested Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision in the context of the surrounding community as well as the conformity with the policy and regulatory framework applicable to the site.

1.3 Development Application

The subject site is designated Institutional on Schedule 3-A Land Use of the City of Kingston Official Plan and zoned Special Education and Medical Uses (E2) Zone in the City of Kingston Zoning By-law 8499.

The applicant is seeking to redevelop the subject site with residential, commercial, and open space uses. An Official Plan Amendment is necessary to re-designate the lands from Institutional to Residential and a site-specific policy area. The current zoning of the site does not permit the proposed residential, commercial or open space uses or the proposed built form. As such, a Zoning By-law Amendment is necessary to apply site-specific zones to each of the proposed blocks to allow the development as proposed and describe appropriate performance standards. A Holding Symbol is proposed be added to Block A to limit development until a further Zoning By-law Amendment is proposed to support the redevelopment of the block. Site-specific Multiple Family Dwelling (B3) Zones are proposed for Blocks B, C, and D which would permit the proposed residential, seniors' housing continuum of care, hotel and neighbourhood commercial uses. A site-specific Private Open Space (OS2) Zone is proposed for Block E to allow the proposed open space area of the development. An application for Draft Plan of Subdivision is required to subdivide the subject site as proposed and to create the necessary easements and reciprocal agreements for access.

Future applications for site plan control and draft plan of condominium will be required to facilitate various elements of the development such as detailed design and tenure.

2.0 Site Context and Surrounding Area

2.1 Site Context and Surrounding Area

The property is located at the southwest corner of the intersection of Sir John A MacDonald Boulevard and Union Street. The Kingston Penitentiary and the Prison for Women (both closed) form their own Kingston Penitentiary Neighbourhood, abutting the boundaries of the Alwington, Sunnyside and Portsmouth neighbourhoods. The site has an area of approximately 3.28 hectares, with approximately 175 metres of frontage on Sir John A MacDonald Boulevard, approximately 199 metres of frontage on Union Street, and approximately 73 metres of frontage on King Street West.

The subject site is currently developed with a building designated under Part IV of the *Ontario Heritage Act*, which is no longer in use, but previously functioned as the Prison for Women. The Prison for Women was officially opened on the subject site in 1934. The building experienced a variety of physical changes throughout its decades of use as a federal penitentiary for women, which are visible in its external façade and within its walls still today. The architectural uniqueness of these features, such as the cupola, the fenestration, and the materials used in its erection, have contributed to the site's heritage designation under Part IV of the *Ontario Heritage Act*. The eventual closure of the Prison for Women in 2000 removed the use of the penitentiary, however the historical and emotional significance that the building serves for Canadian history, and for the women who spent a portion of their lives within this building, is lasting. The former Prison for Women building consists of an Administration Block, Cell Block, and a more modern Annex Wing. The building is functionally obsolete, has internal designated substances, and has sat idle and unattended to for over 21 years.



Figure 2: View of Former Prison for Women Administration Block (right) and Annex Wing (left) from the east side of Sir John A MacDonald Boulevard (Source: Fotenn Planning + Design)

The lands surrounding the subject site consist primarily of institutional and residential uses. Sir John A MacDonald Boulevard in proximity to the site consists of institutional uses. Union Street consists of Queen's University's West Campus across from the site to the north as well as residential uses to the west. The subject site abuts the Correctional Service of Canada Museum and Steam Plant to the south, and the Kingston

Penitentiary is located south of the subject site on the south side of King Street West which now serves as a tourist destination. Residential and open space uses such as Portsmouth Olympic Harbour and Aberdeen Park can be found along King Street West southwest of the subject site.

The site benefits from its proximity to various community services and employment uses such as Queen's University, St. Lawrence College, Corrections Canada Regional Training Centre, the Donald Gordon Centre. The site is located in proximity to commercial uses including those in Portsmouth Village west of the site, the Kingston Centre shopping complex north of the site, and the City's Downtown Central Business District northeast of the site. The site is also located in proximity to multiple parks including Aberdeen Park, Garrigan Park, Oakridge Park, and Woodland Park. The site is also in proximity to waterfront access via the Portsmouth Olympic Harbour.



Figure 3: Surrounding context (Source: Kingston K-Maps)

The surrounding area contains a mix of built form including single detached dwellings, multi-family residential dwellings, and largescale institutional buildings including dormitories, apartments and penitentiary buildings. Immediately surrounding the site, Queen's University's West Campus contains student residence buildings with heights ranging from four to 16 storeys, the Portsmouth neighbourhood to the west consists of building heights ranging from one to two storeys, and the Alwington neighbourhood to the east consists of building heights of one to two storeys.

The broader surrounding area contains a greater mix of built forms and building heights. The following table, which corresponds to Figure 4 below, provides several examples of taller residential buildings located within the broader surrounding area of the subject site:

# on Figure 4	Location	Building Height	Use
1	94 Wright Crescent	10 storeys	Apartments
2	244 Hargreaves Way	15 storeys	Queen's Apartments
3	2 Mowat Avenue	12 storeys	Waterfront Condominium
4	1 Mowat Avenue	6 storeys	Waterfront Condominium
5	1000 King Street West	16+1 storeys	Waterfront Condominium
6	1032 King Street West	16 storeys	Apartments
7	1066 King Street West	16 storeys	Apartments
8	44 Old Oak Road	7 storeys	Apartments
9	62 Old Oak Road	7 storeys	Apartments
10	1110 King Street West	19 storeys	Waterfront Condominium (Approved, not yet built)
11	1102 King Street West	22 storeys	Waterfront Condominium (Approved, not yet built)
12	290 Bath Road	11 storeys	Apartments
13	310 Bath Road	11 storeys	Apartments
14	523 Portsmouth Avenue	11 storeys	Apartments
15	17 Eldon Hall Place	6 storeys	Queen's Apartments

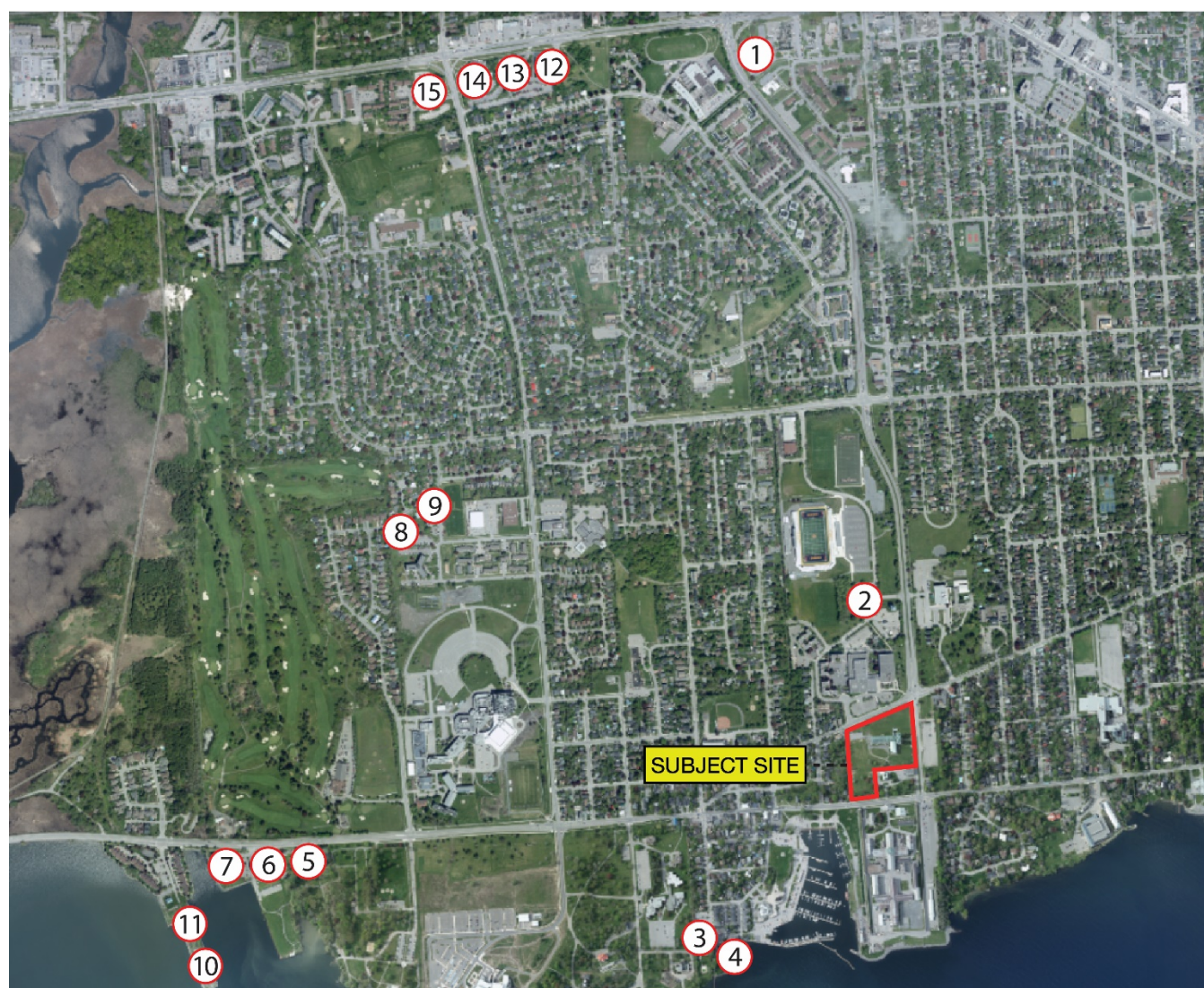


Figure 4: Tall building locations in the broader surrounding area (Source: Kingston K-Maps)

Existing vehicle access is located on Union Street at the west boundary of the property. The main pedestrian entrance is located on Sir John A MacDonald Boulevard, aligning with the front door of the building, although there is generally no restriction to pedestrian access. Sidewalks are located on both sides of Sir John A MacDonald Boulevard adjacent to the site, along the north and a portion of the south side of Union Street, and along the north and south sides of King Street West. The intersections of Sir John A MacDonald Boulevard and Union Street and the intersection of Sir John A MacDonald Boulevard and King Street West are signalized and include pedestrian crossings.

The subject site is well served by Kingston Transit with multiple transit stops on Union Street and King Street West. Kingston Transit Routes 1, 2, 3 currently operate on Sir John A MacDonald Boulevard and Union Street and Express Routes 501/502 operate on and serve King Street West. These transit routes provide access to the downtown, St. Lawrence College, Queen's University Main Campus, the Montreal Street Park & Ride, and the City's west end.

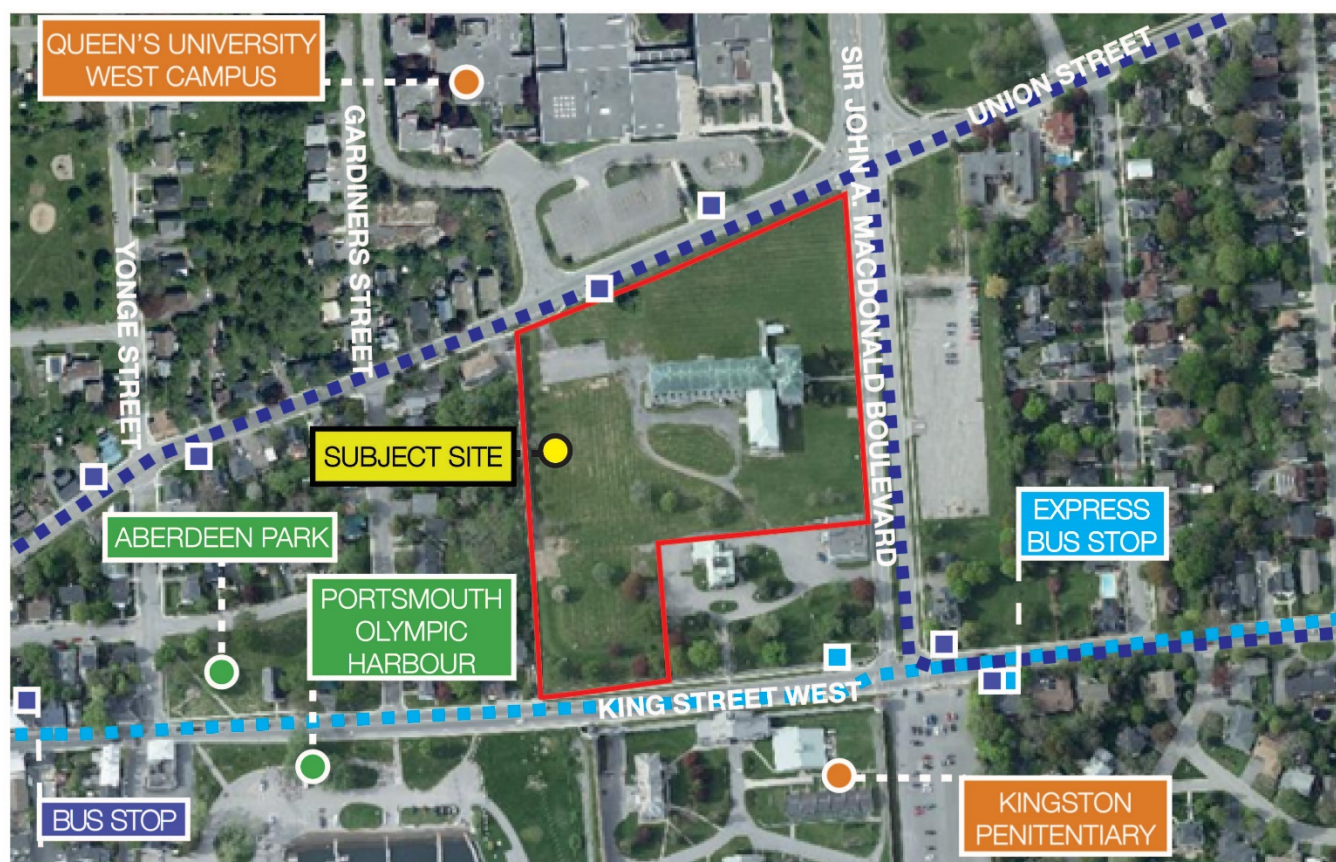


Figure 5: Immediate context (Source: Kingston K-Maps)

The following uses are immediately adjacent to the subject lands:

- / **North side of Union Street:** Institutional (Queen's University West Campus)
- / **East side of Sir John A MacDonald Boulevard:** Institutional (Corrections Canada, open lawn and parking)
- / **South:** Institutional (Penitentiary Museum and Kingston Penitentiary)
- / **West:** Residential (one- and two-storey dwellings)

3.0 Development Proposal

Union Park is a carefully designed compact community with a healthy mix of uses, context-sensitive buildings, and well-formed, pedestrian-friendly open spaces. The intent is to animate the area by seamlessly integrating a mix of residential, commercial, and open space uses. The proposed plan derives from the desire to preserve and respect the heritage and context of the site through the respectful integration of modern content.

Union Park provides a gateway into Portsmouth Village, the Penitentiary District National Historic District, Queen's University, and downtown Kingston. It seeks to acknowledge and reflect the neighbourhood's full history while also turning the focus towards the future. The proposal intends to create a pedestrian pathway to permanently connect Union Street and King Street West and to better connect neighbourhoods such as Portsmouth Village and Sydenham Ward. The project will bring new housing, employment, and neighbourhood commercial opportunities to one of Kingston's most storied areas.

The development will maintain and capitalize on the beautiful sight lines of Lake Ontario and the surrounding neighbourhoods. The West Yard Park is naturally positioned to be the most valuable and coveted portion of the lands offering stunning south-westerly views over Portsmouth Olympic Harbour. This park and pathway will be available to the public, for all to enjoy.

The applicant is seeking to permit the redevelopment of the 3.28-hectare subject site with a triad of new buildings on three sides of the former Prison for Women, which will become a focal point and centre piece of the development.

The following is a breakdown of the proposed Blocks, as well as their proposed use:

- / Block A (Block 1): Residential/Commercial (future development)
- / Block B (Block 2): Residential (24 residential condominium units)
- / Block C (Block 3): Residential and small-scale commercial (215 units (141 Retirement Suites and 74 Seniors' Apartments), ground floor salon and spa)
- / Block D (Block 4): Hotel and small-scale commercial (119 hotel units, ground floor commercial)
- / Block E (Block 5): Open Space (West Yard public-private park)

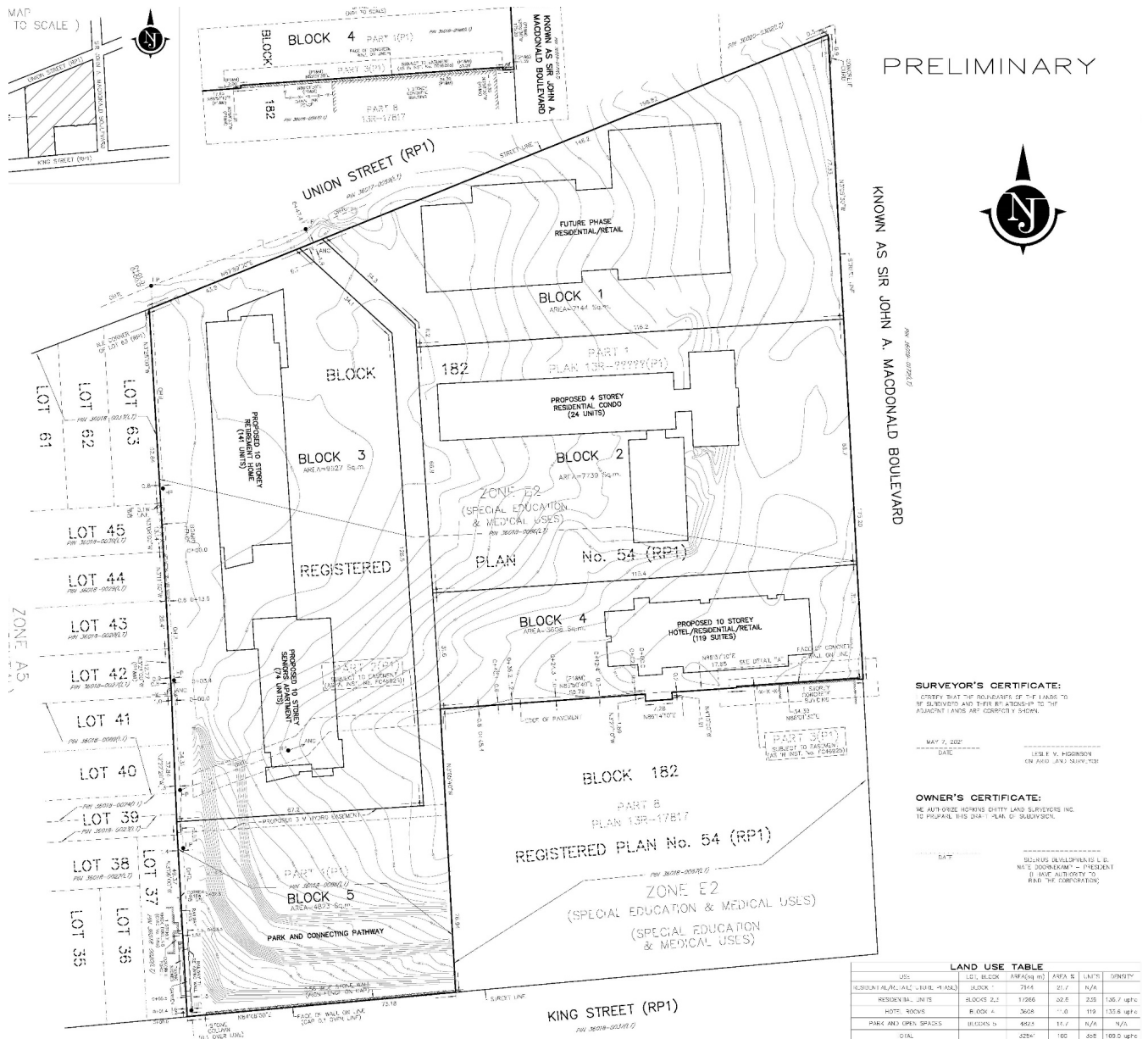


Figure 6: Draft Plan of Subdivision (Source: Hopkins Chitty Land Surveyors Inc)

3.1 Land Use

The proposed development will incorporate residential, commercial and open space uses. The proposal will feature a mix of residential building types and housing options, including condominiums, seniors' apartments, and retirement home suites. The proposed mix of residential forms and tenures will support a diverse range of residents, appealing to young families, students, and seniors, while providing new and existing local residents with housing solutions which encourage and allow for opportunities to age in place. The preservation and adaptive re-use of the former Prison for Women building celebrates the historic use of the site, while anchoring the new development with a strong character and sense of place.

At grade commercial uses are proposed within Blocks A, C and D, with frontage on both Union Street and Sir John A MacDonald Boulevard. These uses will promote vibrant and active streetscapes, and allow residents to fulfill a number of their daily needs within Union Park and close by. The combination of these uses will support a

compact, mixed-use development, optimizing existing infrastructure, reducing automobile dependence and supporting walkability and active transportation.

3.2 Site Design

The proposed development will consist of five blocks which will each be redeveloped. Block A will be developed through a future phase of the development and is expected to consist of a mixed-use residential and commercial building. Block B will consist of the rehabilitated Prison for Women to be adapted to accommodate 24 residential condominium units. Block C along the west boundary of the property will consist of a two-storey link with two, eight-storey towers above containing 215 seniors' housing continuum of care units and a salon and spa available for larger community use. Block D will consist of a 10-storey building containing 119 hotel rooms and ground floor commercial space. The three new buildings will be setback within the site to create internal circulation and open space designed to frame the Prison for Women on Block B. Block E encompasses the West Block lands extending down to King Street West together with a connecting pathway between King Street West and Union Street that will be retained and restored as a public-private garden and landscaped pedestrian connection.

Together, the development blocks contribute to a cohesive, contemporary community within the subject site, mixing historical architecture with modern amenity. Copious landscaped open space sets each building apart for maximized interaction with the amenities in this urban park-like setting, as well as to give space for each building to be appreciated on its own merit. A detailed discussion of each development block follows.

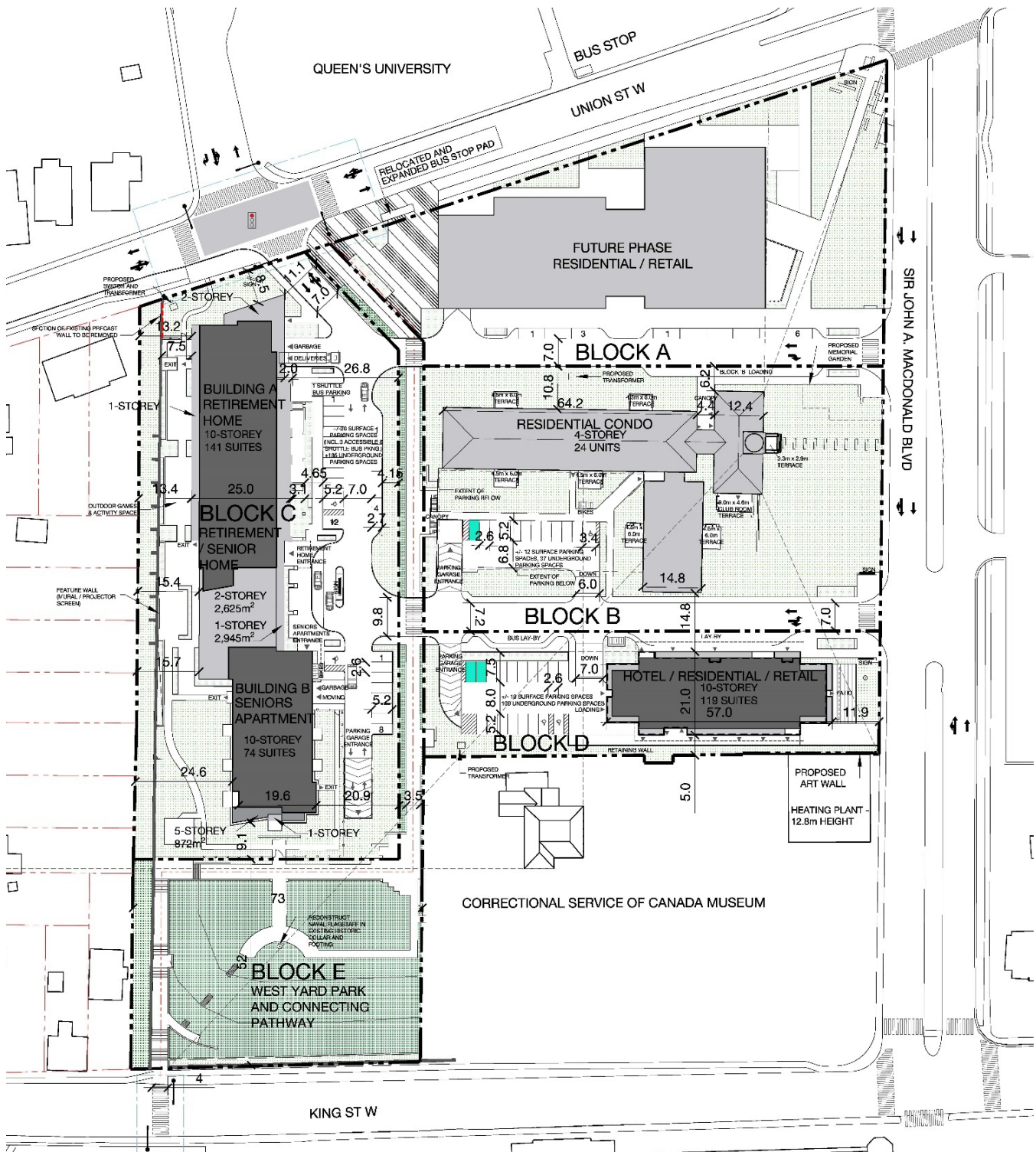


Figure 7: Concept plan (Source: Fotenn Planning + Design)

Block A – Future Development Block

Block A will be located at the northeast corner of the subject site with an area of approximately 7,444 square metres, approximately 148 metres of frontage on Union Street, and approximately 77 metres of frontage on Sir John A MacDonald Boulevard. No specific development concept is being proposed for Block A at this time, however, the concept plan provides some indication as to the future development potential of the block. It is intended that Block A be developed as a third phase of the project.

The general design intent of Block A is to provide an opportunity for a predominantly residential building with some ground level commercial uses. The block is enhanced by vast open space along Sir John A MacDonald Boulevard which frames the larger overall development. The block provides a key entrance to the site, and transitions from the public realm along Union Street and Sir John A MacDonald Boulevard into the development. Hardscape features and a gateway feature intended to be located at the corner of Union Street and Sir John A MacDonald Boulevard will further signify the entrance to the new community.

It is anticipated that the proposed development of Block A will feature a two tower high-rise component located on a ground oriented podium. The build out is expected to include a range of residential and small-scale commercial uses that would serve the larger community. The future building would be situated closer to Union Street to provide enhanced street animation and serve to provide a greater connection between the public and private realms. As well, this will allow the building to have greater separation from the rehabilitated Administration Wing, Cell Block, and Annex Wing located on Block B to the south.

Along the western portion of the future high-rise building, hardscaping will expand the area intended for the relocated and expanded bus stop area within the right-of-way to create a plaza. This expanded hardscape will allow for natural spill over of pedestrians onto the site which will act to animate the block and overall development.

The building is expected to have multiple entrances, with the main entrance likely provided along Union Street but with prominent entrances possible on both the east and west end of the building. Block A will have vehicle access provided from a shared entrance from Union Street, offering full vehicular turning onto Union Street, as well as an entrance from Sir John A MacDonald Boulevard which will provide right-in, right-out turning access. The Union Street entrance will be the main vehicular entrance to the site. A small number of surface parking spaces will be provided along the southern portion of the future building, generally to support the future commercial uses located within the building, while underground parking, accessed from an entrance at the southwest portion of the building, will provide on-site parking for the future residential units. The provision of underground parking will aid in the delivery of an uninterrupted site and allow greater areas of open space.



Figure 8: Intersection of Sir John A MacDonald Boulevard and Union Street looking south with a view of the Union Park sign on Block A proposed to signify the entrance to the new community (Source: CSW Landscape Architects)

Block B – Rehabilitated Prison for Women

Block B will consist of the former Prison for Women complex including the Administration Block, Cell Block and New Annex Wing. The respectful revitalization of Block B is a central and significant component to the success of the development on the overall subject site.

Block B will be located generally within the centre of the subject site with an area of approximately 7,737 square metres and approximately 67 metres of frontage on Sir John A MacDonald Boulevard. The former Prison for Women building will be adaptively reused to provide 24 residential units. Currently, the buildings are unheated, decaying, and are functionally obsolete. Substantial interior demolition will be required in order for the adaptive reuse of the buildings to take place. The distinctive roof and cupola will be restored and maintained on the Administrative and Cell Block Buildings. The Annex Building is not structurally able to be re-used and as a result will be demolished and replaced.

The Administration Wing and the Cell Block buildings will be retained and rehabilitated while the Annex Wing will be replaced with a new Annex building. This new building will be built on the original footprint and reconnected to the original 1932 building complex in a more sensitive fashion, re-emphasizing the formal link connection between the original Administration and Cell Block. The proposed development of Block B will be carefully attuned to respect the heritage and cultural value of the former prison building, acknowledging the historical and architectural impact of the site.



Figure 9: Rendering of the Administration Building (right) with the introduction of the new South Wing (left) replacing the existing Annex Wing of the building (Source: CSW Landscape Architects)



Figure 10: Rendering looking southwest of the rehabilitated Prison for Women in the foreground and the proposed Block D hotel in the background (Source: CSW Landscape Architects)

The building height of four-storeys will remain unchanged as the existing building will be largely retained. The main building access is anticipated in the central portion of the site in the southern portion of the building from the small surface parking area, which will lead to a ground floor lobby. Amenity area will be provided as shared common exterior, common interior spaces in addition to private balconies. The ground floor of the building is anticipated to include a club room to be utilized by all residents, along with a lobby, hobby room and other common areas for residents. Block B will also be home to the proposed Prison for Women Memorial Collective Garden to be located at the northeast corner of the site.



Figure 11: Rendering of the Block B rehabilitated Prison for Women looking east, including a view of the surface parking area and main resident entrance (Source: Shoalts & Zaback Architects)



Figure 12: Rendering of the Block B rehabilitated Prison for Women looking northeast, including a view of the surface parking area and main resident entrance (Source: Shoalts & Zaback Architects)

Block B will provide a total of approximately 49 parking spaces, 12 of which will be above ground in a surface parking lot and 37 spaces will be underground. One Ride Sharing parking space will also be provided on-site. The block will have two main points of vehicular access from both Union Street and Sir John A MacDonald Boulevard. Access to the underground parking garage will be located in the southwest corner of the block to reduce visibility from the street frontages. Bicycle parking will be provided on site for each unit.

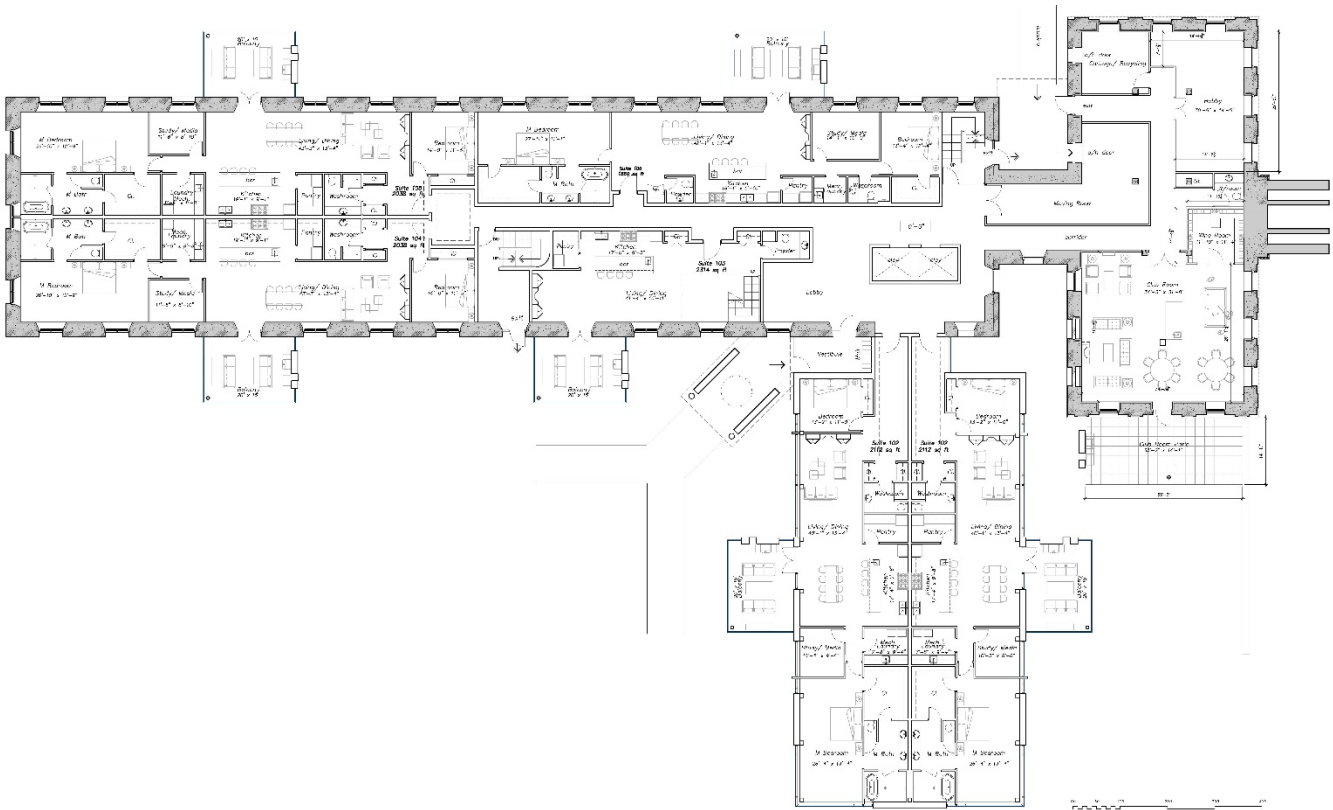


Figure 13: Block B, residential condominium ground floor plan (Source: Shoalts & Zaback Architects)



Figure 14: Block B, residential condominium south elevation (Source: Shoalts & Zaback Architects)

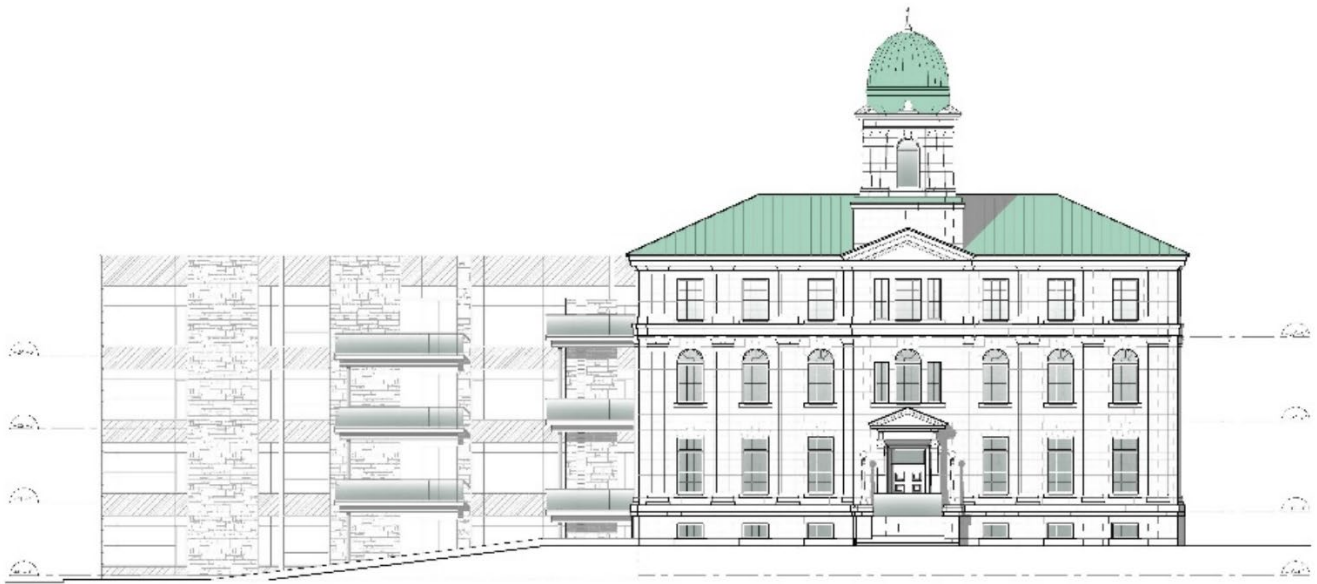


Figure 15: Block B, residential condominium east elevation (Source: Shoalts & Zaback Architects)

Block C – Seniors' Housing Continuum of Care

Block C will consist of two, eight-storey mid-rise towers above a two-storey link, for a total building height of 10-storeys, offering facilities for a seniors' housing continuum of care. Block C will be located along the western boundary of the subject site with an area of approximately 9,525 square metres and approximately 44 metres of frontage on Union Street. The building will be oriented to provide maximum views through the site from north to south for both residents of Union Park and surrounding neighbours.

The area of Block C currently contains a large area of hardscaping. An emphasis has been placed on the introduction of landscaping with some hardscaping features on Block C which will create areas of serene relaxation, as well as areas for vibrancy, conversation, engagement, and people watching for residents of the seniors' housing continuum of care.



Figure 16: Block C, seniors' housing continuum of care east elevation looking northwest (Source: Hobin Architects)



Figure 17: Block C, seniors' housing continuum of care west elevation looking northeast (Source: Hobin Architects)

The building will be located with a large setback from Union Street as well as large building separations from the future Block A, Block B and Block D buildings. It is intended that most of the existing prison wall will remain in place, but a small section at the north end of the block will be removed to open up the site visually to the neighbourhood. The large setback from Union Street and removal of a portion of the wall aids to open up the sightlines when arriving to Union Park from the west towards the plaza on Block A and views towards the

rehabilitated buildings on Block B. In addition, large setbacks are proposed from the west property line to ensure appropriate building separation is provided from the lower density residential uses within the Portsmouth neighbourhood. Figure 18 below provides drone images taken from the proposed tenth storey of Block C at the north, middle and south portions of the block. The images assist in illustrating that the combination of the former prison wall retention, large existing tree canopy, and larger setback from the property line and even greater building separation will assist in mitigating overlook potential to the adjacent properties.



Figure 18: Anticipated backyard views of the adjacent properties from the proposed tenth storey of Block C (Source: Fotenn Planning + Design)



Figure 19: Anticipated view of Union Park, Kingston and Block C from Gardiner Street (Source: CSW Landscape Architects)

This development will serve two communities and consist of 74 seniors' apartments and 141 retirement residence suites for a total of 215 units. The amenity space provided on-site will be a mix of private and shared common areas both internal to the complex and within the outdoor grounds, including such benefits as a games and activity space and landscape features and theatre wall. Most suites will also have private exterior balconies. The Block will support landscaped and hardscaped areas to support outdoor amenity areas for the benefit of seniors' housing continuum of care residents. As well, Block C proposed to include a spa and salon for the use of residential and the larger Kingston community.

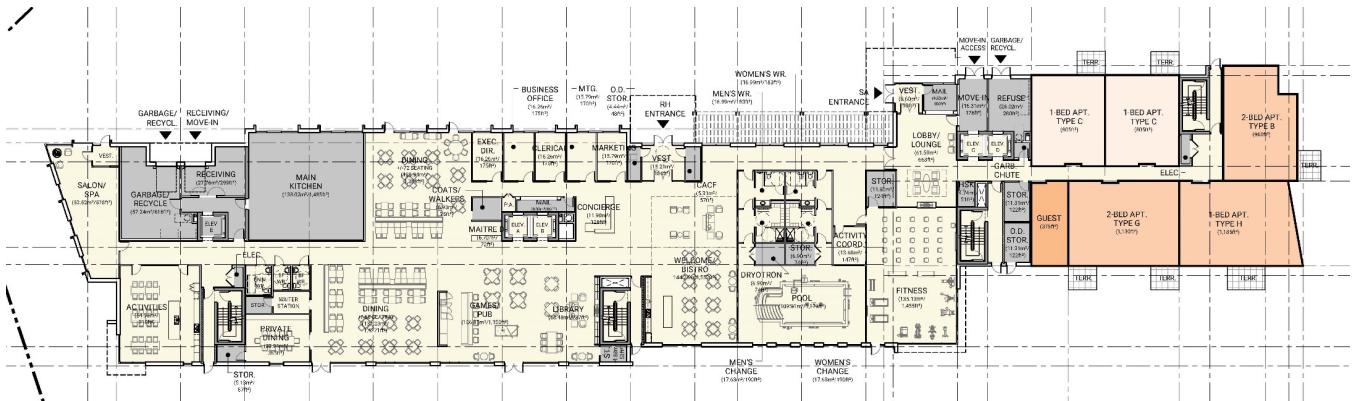


Figure 20: Block C, seniors' housing continuum of care ground floor plan (Source: Hobin Architects)



Figure 21: View looking south capturing a portion of the east elevation of Block C, the exterior balconies, and the view of Lake Ontario (Source: Hobin Architects)

The main entrances to the building are located on the east façade. A resident and visitor drop off area along with a row of surface parking spaces are located in front of the east portion of the building to support access to the building. The main vehicular access to the site will occur from Union Street with second and third entrances provided from Sir John A MacDonald connecting through Block A and B. Approximately 26 surface-level vehicle parking spaces and approximately 135 underground vehicle parking spaces are proposed for Block C, for an estimated total of approximately 161 parking spaces. The underground parking garage will be accessed via an entrance in the southeast corner of the block. One shuttle bus parking space is provided for Block C residents' group outings and activities within the broader Kingston community. Additionally, 12 bicycle parking spaces are provided to meet the demands of the resident population, staff and visitors.



Figure 22: View of Block C from Union Street looking northeast (Source: CSW Landscape Architects)

Block D - Hotel

Block D will consist of a 10-storey building, which includes a four-storey podium, containing ground floor commercial space and 119 hotel suites in the upper nine storeys. Block D will have an area of approximately 3,608 square metres and approximately 31 metres of frontage on Sir John A MacDonald Boulevard. Hotel suites will be designed to include small kitchenettes to support both long and short term users. Due to the pandemic, it is not known how long it will take for the hotel and tourism sector to return to pre-pandemic levels and what the sector will look like. If the hotel and tourism sector do not return within the short to medium term, the hotel may be purpose built as a residential building.

A total of 119 parking spaces are proposed including approximately 100 underground parking spaces and 19 surface parking spaces. Access to the parking garage will occur at the rear of the building located in the western portion of the block. The main vehicular access to the block will occur from the entrance provided on Block B, abutting the block. A second and third entrance will be available through Block C from Union Street and Block A from Sir John A MacDonald Boulevard. Bicycle parking will be provided on site along with common interior and exterior amenity area in the form of the ground floor lobby, roof top terrace and at-grade landscaped spaces.



Figure 23: Block D east elevation (left) and north elevation (right) (Source: Shoalts & Zaback Architects)

The proposed building will be located closer to Sir John A MacDonald Boulevard, while still providing an appropriate setback to retain recognized heritage views. The building location will allow for a surface parking area and servicing requirements of the building to be located to the rear of the building, screened from the roadway view.

Although currently proposed to accommodate hotel suites, the proposed 10-storey building on Block D may be purpose built for residential use should the hotel and tourism industry be slow to recover from the pandemic. Amenity space, parking, bicycle parking would continue to be provided to support the use should the building be re-purposed for residential units. Block D will maintain the existing portion of the old prison wall which abuts the steam plant and transform a portion of the wall into an art wall.

Block D provides an excellent opportunity to attract visitors to the site who wish to stay and experience Canadian history on the grounds where it took place. The proximity to two penitentiary museums, Kingston's waterfront, Queen's University's West Campus, St. Lawrence College, and Kingston's downtown will attract tourists, academics, and families of students to share in the experience that is Kingston and contribute to Kingston's local economy.

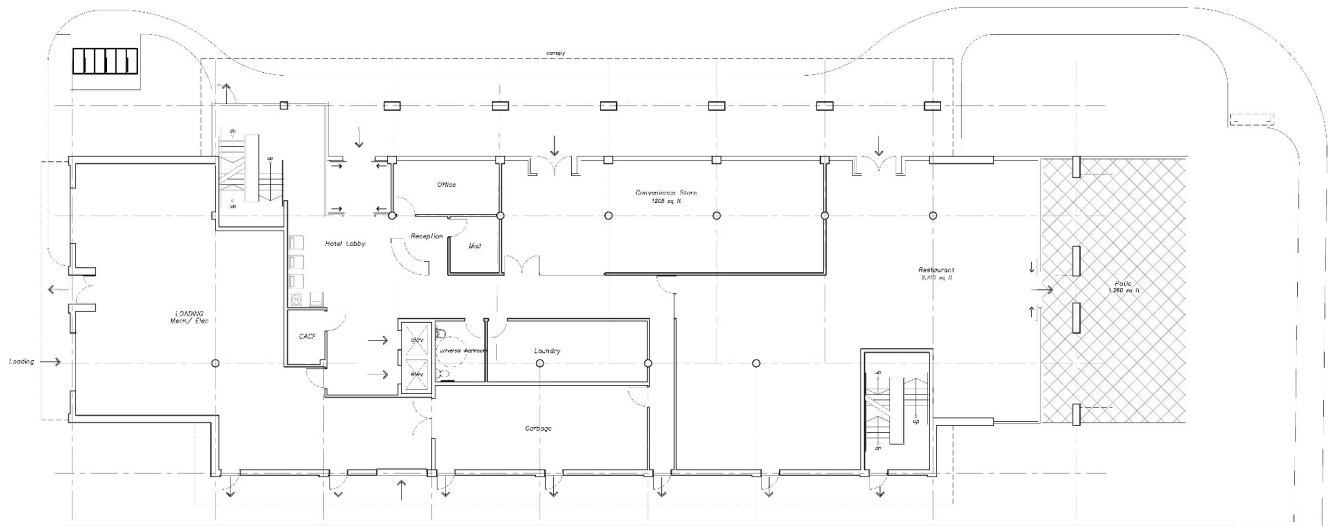


Figure 24: Block D ground floor plan (Source: Shoalts & Zaback Architects)



Figure 25: Block D second to fourth floor plan (Source: Shoalts & Zaback Architects)



Figure 26: Aerial View of Union Park capturing the relationship between each block and proposed building. Block B in the foreground, Block C in the background, and Block D on the left. (Source: CSW Landscape Architects)

Block E – Open Space

Block E will have an area of approximately 4,820 square metres with approximately 73 metres of frontage on King Street West and approximately 6 metres on Union Street.

Block E will consist of a park which will be utilized and available to both residents of Union Park and the larger Kingston Community. The proposed park is intended to emulate the former grounds and gardens of the Warden's Residence. A variety of perennial flowers, an orchard, and other native tree species will be planted, with plenty of seating space for residents and visitors to enjoy the immediate setting as well as the views provided to the Lake Ontario waterfront. As well, a programmed play area will be provided in the northwest corner. Features such as a tennis lawn area will be incorporated that can be used for public gatherings such as healing circles, as well as a children's play area, a trellis with swing sets, and interpretive signs and seating along the pathway will support the recreational and passive use of Block E.

The park will be navigable by a constructed pathway throughout and will feature a reconstructed naval flagstaff to commemorate heritage attributes of the site. Stepped change in grade will be incorporated to provide a unique open space experience while preserving and enhancing key views toward Portsmouth Olympic Harbour and the former Kingston Penitentiary. Along the west property line, an entrance at King Street West will be restored to allow the public access to the grounds. A series of gentle steps with regular landings and two seating areas will provide opportunities to stop and rest along the route. Framed by a public pathway on the north and west side, and fully visible from the south and east, West Yard Park will provide a safe and comfortable place to rest, gather, socialize, and play.

Block E will also include a new formal, pedestrian connection from Union Street to King Street West through the inclusion of a pathway.



Figure 27: Block E Conceptual Landscape Plan (Source: CSW Landscape Architects Ltd)



Figure 28: View of Block E from King Street West, including the restored public access to the grounds (Source: CSW Landscape Architects)

3.3 Building Height

The proposed development will integrate a range of building heights from four- to 10-storeys and greater. The site's location at the intersection of Arterial and Collector Roads in combination with the City's desire for compact, high density and transit-supportive development that optimizes existing infrastructure, makes this a prime location to accommodate residential and commercial intensification. As well, the subject site has a significant lot area to ensure the proposed building heights can be achieved while maximizing separation between taller building elements, maintaining the openness of the site, and ensuring appropriate transitions to adjacent institutional uses and residential neighbourhoods.

The proposed development represents a departure from the previous institutional uses and no maximum height permissions have been identified for this site. However, the City's Zoning By-Law permits buildings up to 23 metres, approximately seven-storeys, within Special Education and Medical Use Zones (E2). It is reasonable to assume that the subject site has long been anticipated for additional height and density.

While the building in Block A will be defined in a future phase, the proposed concept plan aids in illustrating that the block can accommodate a large gateway building that creates a generally consistent streetwall on Union Street. A building containing a three to four storey podium and two taller residential towers above is anticipated for Block A. Stepbacks can be accommodated above the streetwall to define a clear podium on both Union Street and Sir John A MacDonald Boulevard which helps to frame the street and reinforce a human-scaled building from the adjacent boulevard.

Block B will feature the redeveloped Prison for Women building which will retain the existing four-storey building height. The remainder of the proposed building heights on the site has been carefully considered to ensure the protection of and compatibility of the former Prison for Women building.

On Block C, the linkage between the two towers ranges in height from one- to two-storeys, to frame and reinforce a human scale from the adjacent street while respecting the lower scale established by the former Prison for Women building. Above this podium, two residential towers are proposed for an overall building height of 10-storeys. The larger tower footprints are appropriately located within the overall development, as far from Sir John A MacDonald Boulevard as possible, as well as appropriately located north-south within the subject site to mitigate visibility and presence from adjacent streets. In addition, the tower elements of the building are setback between 15.4 metres and 24.6 metres from the rear property lines of the properties adjacent to the west and have building separations from the dwellings ranging from 18 metres to 55 metres which assist in mitigating

concerns related to privacy and overlook. The grade change between the west property boundary and the adjacent low scale residential dwellings, in addition to the retention of the majority of the prison wall and the existing tree coverage, will also assist in mitigating privacy and overlook.

The proposed building on Block D, has a four-storey podium to frame and reinforce a human scale on Sir John A MacDonald Boulevard, while respecting and complementing the lower scale established by the former Prison for Women building. Above this podium, the building steps back 1.5 metres to clearly delineate between the building base and tower.

The proposed buildings are designed and massed to reflect their existing and historic context, promote and frame human-scaled streetscapes, and maximize comfort within the open spaces of the site and the adjacent public realm while mitigating the impacts of shadow and overlook. Through the use of building separation, thoughtful building materials and the use of podiums, the proposed building heights will not interrupt the at-grade pedestrian experience.

3.4 Open Space

Approximately 75 percent of the proposed development will be devoted to open, non-built space, divided between parks and landscaping, which will consist of approximately 57 percent, and roads and parking surfaces, which will consist of approximately 18 percent.

The West Yard Park and connecting pathway will contribute significantly to open space within Union Park. In addition to Block E, the proposed development provides a number of smaller plazas and open spaces to support on-site amenity opportunities. The large setback to be maintained from Sir John A MacDonald Boulevard on Block B provides a substantial landscaped open space that reinforces the openness of the site, highlights the historic building, and provides opportunities for informal gathering and recreation. As well, a Prison For Women Memorial Collective garden is proposed to provide an entrance feature from Sir John A MacDonald Boulevard. This garden is to be located on Block B in a prominent location in front of the building. Plazas are proposed to be integrated with the at-grade commercial uses on future Block A and Block D to provide additional space to gather and socialize, while also aiding to activate both Union Street and Sir John A MacDonald Boulevard.

These open spaces, along with the exterior amenity spaces to be provided on each block, will create a well-designed pedestrian network through the subject site as well as connections to the broader open space network, including nearby parks and the waterfront.

3.5 Access and Circulation

The subject site will provide three vehicle entrances. A vehicular entrance is proposed between Block A and Block C along Union Street. A new signalized traffic intersection is also proposed at this entrance along Union Street to ensure vehicular and pedestrian safety. This vehicular entrance will connect to the internal north-south road and parking area dedicated to Block C and will connect to the other internal east-west road accesses from Sir John A MacDonald Boulevard.

Two vehicular entrances are proposed from Sir John A MacDonald Boulevard. The northern-most entrance will be located on Block A and connect through the block to the north-south entrance road provided on Block C. The southern-most entrance located along Sir John A MacDonald Boulevard is located on Block B, but will also benefit Block C and Block D. This entrance will provide connection to the Block B and Block D surface parking areas as well as underground parking garage entrances and will connect to the north-south road and entrance on Block C.

The subject site will also support pedestrian mobility. Internal pathways, sidewalks and multi-use pathways will be provided throughout Union Park to support pedestrian connection between blocks and between each of the road frontages. The provision of a separate pathway encourages active transportation through the site, as well as enhances perceived and actual safety.

4.0 Supporting Studies

4.1 Heritage Conservation Strategy

A Heritage Conservation Strategy (the “Strategy”) was prepared by John Stewart Commonwealth Historic Resource Management and Barry Padolsky & Associates to respond to the City’s request for a Heritage Conservation Strategy that address the overall redevelopment of Union Park, focusing on the repurposing of the existing Prison for Women (P4W) Building and how it will be integrated with a triad of new mid to high-rise buildings and a comprehensive landscape approach. The strategy appraises and evaluates features of heritage significance within the Union Park Project site; provides site specific guidelines and recommendations on the implementation of a cultural heritage strategy with reference to Parks Canada’s “Standards and Guidelines”; undertakes interpretation of the cultural heritage of the prison along with the enhancement of the public realm linked to interpretation and access to surviving features; as well as, identifies the potential impacts (positive and negative) on the Prison for Women and where possible suggests mitigation measures.

The Strategy indicates that P4W had status as a ‘Recognized’ federal heritage building, resulting from a 1989 Federal Heritage Building Review (FHBRO) building report. The ‘West Yard’ portion of the property is part of the Kingston Penitentiary National Historic Site of Canada and triggered archaeological work. In 2007 the property was designated under Part IV of the Ontario Heritage Act through By-Law Number 2007-167 City of Kingston. The Strategy indicates the P4W is associated with the evolution of thought in Canadian penology related to the separate treatment of female prisoners and much of its cultural importance derives from this. The architectural heritage value of the P4W depends heavily on the Edwardian Classical style, massing and form of the Administrative Building and Cell Block. Although not specifically included in FHRBO or Part IV statements of significance, the West Yard is historically significant as is the front lawn of the Administration Building off Sir John A MacDonald Boulevard.

The Strategy indicates that the designation bylaw identifies the goal of ensuring that the public should be able to experience views towards the harbour and the “cultural heritage landscape of prison life.” A heritage analysis of the site and its context suggests that there are several key views and vistas from the public realm looking towards the P4W that should be considered given its heritage value as a “familiar landmark.” The Strategy defines these views as well as provided recommended heritage guidelines related to site layout, massing and form, architectural design and materiality, and adaptive re-use of the Prison for Women.

The Strategy assessed the proposed development against the established heritage guidelines and identified a number of positive development impacts, including:

- / Investment and redevelopment of the subject site;
- / Conservation, adaption, and reuse of the former P4W for residential purposes;
- / Generous setbacks between proposed building and P4W;
- / Multiple site entrances and pedestrian routes through the site;
- / Conservation and interpretation of the West Yard;
- / The siting and scale of Block C to provide a strong edge to the proposed development;
- / The proposed material, colour palette and verticality of fenestration;
- / The protection of identified heritage views;
- / Incorporation of strong podium features
- / Retaining and restoring portions of the prison wall; and
- / Preparation of an interpretation strategy to contribute significantly to the public’s appreciation of the National Historic Site as presented by the Prison Museum and the Penitentiary Heritage District Tour.

In terms of the negative impacts identified, the Strategy seeks to mitigate potential impacts of the proposed taller buildings on the site by adopting the specific heritage guidelines and measures outlined. The guidelines give specific direction for respecting key views, introducing compatible massing and forms, architectural design and materiality, vertical skyline features and landscape features. The adoption of these guidelines will mitigate the impact of the new buildings on the visual singularity of the Administration Building and retain its role as a “familiar landmark.”

It is understood that in addition to this Strategy, four specific Heritage Impacts Statements will be required by the City of Kingston Official Plan to accompany the specific future site plan and heritage applications. Based on the development parcels and phasing, these Heritage Impact Statements will be for the proposed P4W rehabilitation project (Block B), the proposed hotel (Block D), the proposed seniors' housing continuum of care (Block C) and the future mixed-use project (Block A). These Heritage Impact Statements will assess the positive and negative impacts of the future development proposals giving regard to "Standards and Guidelines for the Conservation of Historic Places in Canada", The City of Kingston's review as well as the Union Park Heritage Conservation Strategy.

4.2 Landscape Master Plan

CSW Landscape Architects Ltd. prepared a Landscape Master Plan to provide insight into the landscape architectural components proposed for the subject site. The Master Plan highlights the park-like atmosphere that the proposed development is anticipated to embody, with approximately 75 percent of the subject lands dedicated to internal roads, pathways and landscaped open space. This distribution can be visualized via the Landscape Plan submitted in support of the proposed development to demonstrate the healthy provision of manicured lawns, tree coverage, and programmed outdoor amenity space.

The Plan indicates that accessibility is of important consideration for the site, especially given the proposed seniors' housing continuum of care facility. The site will emphasize pedestrian-scale development with plenty of seating and pedestrian-oriented lighting, which will provide for the increased perception and actual safety, as well as more at-grade interaction with the site. Interactions will be fostered by commemorative and informational features to be integrated into the site to share the history of the site, and to pay remembrance to the people whose lives were impacted by the former P4W.

The park space provided in Block E will provide open space as well as more programmed, commemorative outdoor amenity to both residents and visitors of the subject site. Elements of the previous Warden's Residence and grounds will be re-imagined and modernly introduced to Block E, such as the restored flagpole complete with proposed naval memorial, and seating areas surrounding it. A children's play area will be included at a safe and sheltered distance from King Street West to accommodate the growth to the area, as well as young visitors of Block C's retired residents.

A variety of perennial, low-maintenance flowers will be planted, as will many trees to restore any canopy for both environmental, health, and heritage benefits. Public art that pays homage to the site's history as well as the impact on Indigenous inmates will be integrated into the site, so that a public place of belonging can be established for the entire City to engage with. The potential locations for public art and garden space are indicated on the concept plan submitted with this application.

Further landscaping details such as location, plant species, and building materials will be discussed and agreed upon through consultation with the public and City staff, specifically at the site plan control and final plan of subdivision stages.

4.3 Urban Design and Shadow Study

An Urban Design and Shadow Study has been prepared by Fotenn Planning + Design, which outlines the vision and guiding principles that informed the design and describes the historic surrounding context that the plan seeks to respond to. As well, the study assesses the design merits of the proposal exemplifying how the proposed development represents the optimal build out of the site, while reinforcing the intent of the City's urban design policies and directions along with the principles of good urban design.

The study demonstrates that the proposed development:

- / Promotes a compact mix of land uses and amenities to optimize infrastructure, reduce automobile dependency and support active transportation;
- / Provides a mix of unit types and tenures to allow residents to age-in-place;
- / Provides a mix of safe, well- connected open spaces that augment the broader open space network.

- / Protects and enhances the historic character of the site through the design and location of new buildings, the maintenance of key views, and the retention and adaptive re-use of heritage buildings and features;
- / Maximizes permeability and prioritizes the safe and efficient movement of pedestrians and cyclists through dedicated pathways, mid-block connections, and streets with traffic calming (i.e. 'side friction');
- / Reinforces a strong public realm through wide, tree-lined boulevards, outdoor amenity spaces, active ground floor uses, and the strategic location of access and servicing facilities to mitigate their impacts;
- / Establishes building forms and massing that reflect the historic and gateway context, while transitioning appropriately to adjacent residential neighbourhoods; and,
- / Ensures the design and massing of buildings minimizes shadow impacts on adjacent sensitive uses.

Overall, the study indicates that the proposed development represents the optimal build out of the site, from a functional and aesthetic perspective, and would provide a strong addition to the adjacent Portsmouth and Alwington neighbourhoods, while protecting and preserving an important City landmark.

A Shadow Study was also prepared to assess the potential shadow impacts of the proposed development during the Spring/Fall Equinox, and the Winter and Summer Solstice. The Shadow Study demonstrates that shadow impacts are minimal and generally limited to a couple of hours per day. Some shadows are cast to the north and east of the development, however, they move quickly across the affected site and do not last more than a couple hours at a time. Predominantly shadows are contained within the adjacent parking lots where they will have no adverse impacts. During the Spring/Fall Equinox, Blocks B and D have no shadow impacts on any buildings or adjacent properties and shadows created by Block C occur from 9:00 am to 11:00 am with no shadows impacts on adjacent buildings or properties for the remainder of the day. During the Summer Solstice, Blocks B and D have no shadow impacts on any buildings or adjacent properties and shadows created by Block C occur from 9:00 am to 1:00 pm but move quickly across site's and creates no shadows impacts on adjacent buildings or properties for the remainder of the day. During the Winter Solstice, Blocks B and D have no shadow impacts on any buildings or adjacent properties throughout the day until 4:00 pm, but the sun has almost completely set and impacts are minimal. For Block C, shadows are cast on the adjacent western residential dwellings but move quickly across the properties and by 12:00 pm no shadows coverage is caused by Block C on the residential properties. Overall, minimal shadowing is created by the proposed development and shadows will only impact certain buildings and properties surrounding the site a few days of the year for only a few hours at a time. As Block A consists of a residential/retail building that will be implemented as part of a future phase, its impacts have not been discussed in this analysis but will be done through a future shadow analysis.

4.4 Traffic Impact & Parking Study

A Traffic Impact and Parking Study (TIS) was completed by McIntosh Perry Consulting Engineers Ltd. in March 2021. The TIS includes a review of the existing conditions on and around the subject site, including the road infrastructure and design, the presence of cycling and pedestrian infrastructure, and the connectivity provided by multiple Kingston Transit service routes that envelop the site. The TIS acknowledges that currently, there are gaps in the provision of pedestrian and cycling infrastructure surrounding the site, however, nearby intersections operate at an acceptable level of service to support the existing conditions.

Due to the impacts of COVID-19 on current traffic patterns, roadway volumes at the time of the undertaking the study were considered not to be typical representations of weekday operation. To develop network volumes for existing conditions the following were considered:

- / study assumptions were made for traffic volumes for the Queens University driveway,
- / study assumptions were made for traffic volumes at the CSC parking lot access east of the site,
- / traffic counts were commissioned by MP for study intersections on November 24, 2020, and
- / 2014 and 2020 study intersection count data were obtained from the City of Kingston and adjusted where appropriate.

The study anticipates that upon build-out, the subject site will generate 175 new trips (71 inbound and 104 outbound) during the morning peak hour and 247 new trips (135 inbound and 112 outbound) during the afternoon/evening peak hour. The site is proposed to generate 38 afternoon/evening peak hour commercial pass-by trips (19 inbound and 19 outbound). Based on existing travel patterns around the subject site, it is expected that 40 percent of peak hour trips into the site will occur from the eastern direction along Union Street, and that

41 percent of outbound peak hour trips from the site will result in traffic heading north along Sir John A MacDonald Boulevard.

Assumed network improvements were included as part of this traffic analysis, including a signalized intersection where Union Street and Campus Lane intersect. The study determined that all intersections, including the proposed Union Street and Campus Lane intersection, would provide sufficient capacity for the proposed growth resulting from the development of the subject site. Minor adjustments to signal timing would further enhance this operating capacity and would improve user experience. Other recommendations related to future improvements to the surrounding transportation infrastructure include a median break along Sir John A MacDonald to allow enhanced access in and out of the site and the implementation of that pedestrian crossing at the Union Street and Campus Lane intersection. A review of transit capacity was also completed as a part of this study, which suggests that transit trips generated by this site's development should be appropriately accommodated by existing transit service.

The study indicates the circulation proposed by the site plan would not result in any conflicts for emergency vehicles, passenger vehicles, snow removal, or garbage removal vehicles.

The TIS conducted a review of the parking requirement necessary to support the development. The TIS concludes that the parking supply of Block B exceeds the zoning by-law requirement and will be an effective parking supply.

In terms of Block C parking, the TIS indicates that Kingston's Zoning By-law 8499 does not specify a parking requirement for senior apartments or retirement suites, and therefore has defaulted to the residential parking requirement. It is noted however the City of Kingston has other zoning by-laws that provide requirements for senior living, and existing examples of seniors' projects have been approved, which assist in determining a more appropriate parking requirement for Block C. The Township of Kingston Zoning By-law 76-26 requires a minimum of 0.5 parking spaces per unit for a senior citizens' apartment dwelling house. A recent seniors' housing project approved in the City of Kingston, within the boundary of the Cataraqui North governed by Zoning By-law 97-102, allowed a site-specific retirement home parking requirement of 0.6 parking spaces per dwelling unit and for the purposes of calculating off-street parking, a dwelling unit equivalency ratio of 2 retirement home suites to 1 dwelling unit applies. Based on this review, use of a 2:1 dwelling unit equivalency ratio for retirement suites and application of a reduced parking requirement of 0.6 spaces per unit for senior apartments is considered appropriate. Using these revised rates, the 141 retirement suites and 74 senior apartments will require 88 parking spaces. The TIS indicates that the proposed approximately 161 parking spaces on Block C will meet the parking needs of the use.

In terms of Block D parking, the TIS indicates that per the zoning by-law a total of 132 parking spaces are required for the hotel and commercial uses. The Study indicates however that the by-law governing the site was passed in 1975 and does not account for parking policy changes as it relates to reducing parking requirements in areas to facilitate transportation mode shifts or car share. Based on reviewed rates of other municipalities, a reduced parking rate of 0.9 is considered acceptable for the hotel which will result in a requirement of 107 parking spaces for the 119-unit hotel. Given the nature of operation of the hotel and commercial land uses, peak parking demand for these uses will occur at different times through out the day. Block D parking spaces can therefore be shared between the commercial and hotel components of the site to accommodate future block parking demand, resulting in a reduced need for parking at the site in comparison to providing satisfying requirements for the block's individual components. Analysis indicates that a peak parking demand of the uses will be 111 spaces. The proposed parking supply, which includes two car share spaces, generally aligns with the block's forecasted peak demand. In terms of bus parking on Block D, the hotel is anticipated to provide long stay accommodation and the use of buses dropping off and picking up guests is expected to be very low. As such the demand for bus parking at the site would be limited and the single bus parking space proposed should adequately meet demand. As part of consideration for the future development of Block D, the potential exist that the building could be developed to accommodate residential units only. Should a residential option be considered that consists of 119 units or fewer the proposed parking supply would satisfy Zoning By-law 8499 parking requirements of 1 space per unit.

The TIS also provided a review related to proposed bicycle parking. Bicycle parking will be provided on Blocks B and D at a rate of 1 space per unit to satisfy the zoning by-law requirement. On Block C, a total of 12 of bicycle

parking spaces will be provided. Given the by-law does not provide a minimum requirement for the land use type a nominal bicycle parking has been provided to meet the needs for residents, workers and visitors. Given the site's proximity to transit, the community providing a shuttle service dedicated to residents and seniors, a high demand for bicycle parking is not warranted for the site, the proposed supply of 12 spaces is considered suitable for this development block.

4.5 Servicing and Stormwater Management Report

A Servicing and Stormwater Management Report was prepared by Josselyn Engineering Inc. to determine the servicing requirements for the proposed development. The study concluded that the subject site has sufficient access to municipal services and minor updates and improvements to the connections of these services will be required prior to development.

Currently, the subject site has servicing connections to the Kingston Penitentiary, which are required to be disconnected and replaced by new connections to existing infrastructure. Rock excavation will be required as part of this process. Each Block will have their own connection to municipal sanitary services, with Block D connecting to King Street West sewers, and Blocks A through C connecting to Union Street sewers. Water connections will be provided to Block A and C via Union Street 250 mm pipes, while Blocks B and D will access water from infrastructure located under Sir John A MacDonald Boulevard. Though on-site fire hydrants may be required as part of this development, it should be noted that the volumes provided by existing hydrants in proximity to the site are more than sufficient to support the development.

Stormwater management will be addressed in detail through the site plan approval stage, however, stormwater infrastructure is expected in the form of rooftop storage, underground storage, and on-site storage.

Utilities Kingston is the supplier of gas and electricity to the subject site. Utilities Kingston did not identify any insufficiencies of gas supply surrounding the subject site, though more investigation will be required for Block C's connection to the gas main along Union Street. Blocks A, B, and D will access the main on Sir John A MacDonald Boulevard. Utilities Kingston has confirmed that the electrical grid applying to the subject site and surrounding areas is sufficient to serve the proposed development. Currently, there are electricity infrastructure easements located on the subject site, which will require release. Alternative electrical connections to the adjacent Corrections Canada properties have also been contemplated. No known constraints are anticipated for internet/telecommunications connections. The concept plan associated with this application has been circulated to Bell Canada and Cogeco Cable Systems Inc.

4.6 Wind and Snow Assessment

A Pedestrian Wind Comfort and Grade-Level Snow Drift Assessment was prepared by Gradient Wind to assess the anticipated pedestrian wind comfort conditions at grade and on elevated amenity terraces, to assess the snow drifting at grade, and to assess the anticipated roof snow loads on the existing Heating Plant (HP) building following full build-out of the proposed development.

Local wind exposures were identified as the low-rise residential buildings surrounding the subject site to the west and east, and mixed open-suburban exposures from the south (and proximity to Lake Ontario). Gradient Wind stated in their report that the direction of wind in Kingston varies by season, with south and northeastern winds occurring in spring, summer, and fall, and west and northeastern winds in the winter. The subject site is proposed to have most exposure to southwestern winds, as other winds are relatively sheltered by surrounding built form.

Various mitigation measures were identified for any potential wind-related discomfort on each of the development Blocks, except for Block B, which is anticipated to have acceptable levels of comfort. It is recommended that outdoor amenity spaces provided on Block C, such as the proposed terrace and spaces between the buildings, be developed with wind-protective measures, including but not limited to, raised perimeter guards and coniferous trees. Further study during the detailed design stage is recommended to refine mitigation measures. Block D is also recommended to have protective measures such as vertical wind screens added, specifically to the proposed rooftop terrace. The naturalized setting of Block E resulted in recommended mitigation measures such as clusters

of coniferous vegetation to shield users of the space and to break up strong gusts of wind. Block A would require further study through future redevelopment.

The report indicates that increased snow loads are anticipated for the roof of the heating plant located south of Block D. The structural integrity of the heating plant roof should be examined by a structural engineer within the context of the expected increased snow.

4.7 Noise Impact Feasibility Study

A Noise Impact Feasibility Study was prepared by Pinchin to assess the noise impacts of external stationary noise sources and road traffic on the Development. The study was completed by modelling impacts of external stationary noise sources and road traffic on the proposed development. As the City of Kingston Noise Bylaw No. 2004-52 does not specify noise requirements for mixed-use development, Pinchin applied Ministry of Environment, Conservation and Parks (MECP) Publication NPC-300 criteria. These criteria include Outdoor Noise, External Building Façade Noise, Stationary Sources Noise, Transportation Noise, and Noise from other Points of Reception (which measure noise from stationary sources on the subject site).

The study concluded that noise impact the site meet MECP NPC-300 criteria for noise traffic impacts, and that warning clauses regarding noise from central air conditioning installation and stationary onsite sources should be considered to present to residents. The measurements and the analytical assessment indicate that the predicted noise impacts from the stationary sources on the Development meet the NPC-300 noise criteria for Class 1 Areas. Further detailed noise impact assessments should be conducted once rooftop mechanical equipment has been selected for the site, and if necessary, further warning clauses regarding the noise emitted from them should be included in the rental/sale agreements for future residents.

4.8 Phase I and Phase II Environmental Site Assessments

XCG Consulting Limited prepared a Phase I Environmental Site Assessment (ESA) in March 2019. This assessment informed the subsequent Phase II ESA completed in January 2020. The Phase I ESA had determined the potential for soil and groundwater contamination on the subject site, and therefore a Phase II ESA was conducted.

A variety of other ESAs (from Phase I to III) were undertaken on the subject lands in previous years under different ownership. This Phase II ESA briefly lists the findings of those ESAs, which were compared to the Phase I ESA completed by XCG in support of this development. Previously, barium, lead, and mercury were found in wall and floor samples, while soil pH levels were highly alkaline. The 2019 ESA conducted by XCG also resulted in the discovery of underground storage tanks containing fuel, which have since been located and no longer pose any concerns to the development.

As part of the Phase II ESA a variety of testing methods were employed, including borehole drilling, monitoring well installation, groundwater sampling, and test pit investigations. Minor contaminants such as petroleum hydrocarbons, metals and inorganics, and volatile organics that were previously found on the site in ESAs conducted between 2004-2008 (under different ownership) were not found in 2019 and are therefore no longer of concern. Though barium was identified onsite by XCG, the substance appears to be naturally occurring and present in relatively negligible amounts. The Phase II ESA conducted by XCG determined that no groundwater remediation will be necessary on the subject site, and that there are no expected concerns of contaminated run-off from the subject site to surrounding lands. Based on the results of the supplementary investigations conducted on the Phase Two Property, the estimated total volume of contaminated soil that will need to be removed from the site, for the purposes of remediation is 900 cubic metres.

A Record of Site Condition is not required for the subject site as the former prison use of the property is considered residential.

4.9 Stage 4 Archaeological Assessment

In February 2019, Abacus Archaeological Services completed a Stage 4 Archaeological Assessment of the subject site. The Stage 4 assessment followed three previous stages of archaeological study completed by Abacus and Golder Associates. The Stage 4 assessment was completed as a recommendation of the Stage 3 assessment, which suggested mitigation research be conducted on the site surrounding the Warden's Residence adjacent to the subject site, also known as Cedarhedge.

The excavations conducted located the remnants of a brick root cellar used during early occupation of the Warden's Residence, dating back to the 19th century, in the West Yard of the subject site. The cellar is also expected to have served as temporary ammunition storage. The cellar is a significant finding as the sole known remaining ancillary building to the Warden's Residence and gardens. Multiple sources and layers of fill were discovered during excavation, dating from periods of demolition and other interference on the site. In the various layers of fill, 820 artifacts were uncovered, including animal bones, ironstone china, clay pottery proposed to be from the 1950s during the last use of the root cellar, and wrought iron.

Upon completion of the Stage 4 Assessment, Abacus concluded there are no further archaeological concerns on the site. However, it should be noted that the Stage 3 assessment was limited to the areas north of and including the West Yard line, as there is an existing Restrictive Covenant that prohibits any land development within the area south of the West Yard line. Any future proposed development or sub-surface disturbance within the area located south of the West Yard line will require that additional Stage 3 testing is completed within the applicable area. Site disturbance is proposed in the West Yard to accommodate stormwater management requirements, underground site servicing, and hardscaping. The Province has approved the work plan for the Stage 3 Archaeological Assessment of the West Yard and that work is now underway. The Stage 3 Archaeological Assessment is anticipated to be completed in summer 2021 for the area south of the West Yard line.

The Stage 4 Archaeological Assessment has been submitted to the Ministry of Heritage, Sport, Tourism, and Culture Industries and review and entry into the Ontario Public Register of Archaeological Report is expected to be received any day.

5.0 Policy and Regulatory Review

5.1 Planning Act

When considering an application for plan of subdivision, the approving body must evaluate the merits of the proposal against the criteria found in Section 51 (24) of the *Planning Act*. The criteria are listed below:

51 (24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

(a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;

The proposed development has regard for the matters of provincial interest addressed in section 2 in that it supports the orderly development of safe, healthy, and accessible communities, the adequate provision of a full range of housing, the appropriate location for growth and development, as well as the promotion of built form that is well designed and encourages a sense of place. The proposed development will incorporate well-designed open space throughout the site and will address cultural heritage aspects of the site accordingly to respectively accommodate and commemorate future and past inhabitants of the site.

(b) whether the proposed subdivision is premature or in the public interest;

The proposed subdivision will efficiently develop an under-utilized parcel of land within the City's Urban Boundary to provide additional housing opportunity. As such, the proposal is not premature and is in the public's interest.

(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;

An Official Plan Amendment is being sought to re-designate the subject lands from Institutional to Residential with a site-specific policy area. The proposed development and Official Plan Amendment have been reviewed against the applicable Official Plan policies and has been determined to conform.

(d) the suitability of the land for the purposes for which it is to be subdivided;

The subject site represents under-utilized lands within the City's Urban Boundary in proximity to existing residential and institutional uses. The proposed plan of subdivision is located within walking distance of parks, Kingston's waterfront and will incorporate new open space uses. The subject site is well served by multiple Kingston Transit routes and in proximity to the Portsmouth Main Street Commercial area and Kingston Centre.

(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;

Affordable housing is not proposed as part of the plan of subdivision.

(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The subject site is not adjacent to or located in proximity to a highway. The street and highway network surrounding the site is sufficient to support growth.

(f) the dimensions and shapes of the proposed lots;

The design of the proposed blocks has occurred to ensure that the majority of blocks have a regular, rectangular shape. The former Prison for Women is a key focal point of the proposed redevelopment and therefore the block pattern is designed in a manner that respects the historically significant massing of the building. Block E has been designed to ensure that public access is provided through the subject site to provide connection from King Street West to Union Street. The proposed blocks will be comprised of sufficient area and dimension to accommodate the buildings proposed.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

A Zoning By-Law amendment is being submitted concurrently which will restrict development on the lands.

(h) conservation of natural resources and flood control;

Schedule 7A and 8A Natural Heritage of the Official Plan do not identify any natural heritage features on or in proximity to the subject site. A Servicing and Stormwater Management Report has been prepared in support of the proposed development which indicates that stormwater management is expected in the form, underground storage, and on-site storage.

(i) the adequacy of utilities and municipal services;

Servicing and Stormwater Management Report indicates that adequate municipal services are available to support the proposed subdivision. Minor upgrades to existing servicing connections will occur prior to development of each proposed block.

(j) the adequacy of school sites;

The subject site is in proximity to a number of existing schools.

(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

The proposed development will include a 4,820 square metre park that will be available for public use, although it will be retained in private ownership.

(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

The proposed subdivision includes mid and tall rise buildings which will maximize the efficiency of the subject site and will maintain sufficient landscape areas and open space.

(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).

The detailed technical considerations of the subdivision will be assessed through the final plan of subdivision process.

It is our opinion that the proposed draft plan of subdivision has proper regard for the criteria found in Section 51 (24) of the *Planning Act*.

5.2 Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) came into effect on May 1, 2020. The PPS provides high-level policy direction on matters of Provincial Interest as they relate to land use planning and development in Ontario municipalities. Decisions of municipal councils must be consistent with the PPS. Generally, the PPS provides direction for issues such as the efficient use of land and infrastructure, the protection of natural and cultural heritage resources, maintaining a housing stock that appropriately addresses the demographic and economic diversity of households, supporting long-term economic prosperity, and preserving natural resources for future uses. PPS policies that are directly relevant to the proposed development are discussed below, with the policy cited in *italics*:

Section 1 of the PPS recognizes that Ontario's long-term prosperity, environmental health and social well-being depend on wise change management.

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

The proposed development provides an efficient land use pattern which optimizes residential, commercial and open space uses. The subject site is well situated with frontage on Union Street, Sir John A MacDonald Boulevard and King Street West as well as adjacent to existing residential and institutional uses.

- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

The proposed development consists of a variety of residential unit types, including condominium units, seniors' apartments, and retirement residence suites. A hotel is also proposed on Block D which will consist of 119 hotel suites. The development will also include small scale commercial uses as well as large open spaces uses to support residents of Union Park as well as the surrounding community.

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*

Environmental or public health and safety concerns are not anticipated for the proposed development. No environmental features are located on or in proximity to the subject site. A signalized traffic intersection is proposed at the intersection of the new Union Street entrance on Block C and Campus Lane to ensure safe access is provided to the proposed development.

- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*

The subject lands are located within the City's Urban Boundary and will not impact the future expansion of the settlement area.

- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*

The proposed redevelopment represents appropriate infill of underutilized lands within the settlement area. Infill of underutilized lands within the settlement area mitigates the need to expand the settlement area unnecessarily, making use of existing municipal services and infrastructure. Infill and intensification of residential uses adjacent to existing residential uses and transit operations efficiently utilizes existing services and infrastructure and minimizes land consumption.

- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*

The proposed residential and commercial buildings will comply with the standards of the Accessibility for Ontarians with Disabilities Act (AODA). This will help to ensure that accessibility is maintained for persons with disabilities and older persons.

- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*

The proposed development will utilize existing municipal services and infrastructure.

- h) promoting development and land use patterns that conserve biodiversity; and*

The proposed development will integrate extensive open space and landscape areas to support the use of the subject site. The location of the subject lands is anticipated to reduce the reliance on the automobile, thereby benefitting the environment.

- i) preparing for the regional and local impacts of a changing climate.*

The proposed development will be well served by Kingston Transit and will be transit-supportive. The proposal will have the result of developing and intensifying the subject site, which is currently underutilized within the City's urban boundary, while utilizing existing municipal infrastructure and services. In addition, the proposal represents compact built forms on the subject lands and proposes a reduced parking ratio in order to reduce automobile dependence. Further, the proposed development will incorporate electric vehicle charging stations and car sharing spaces.

Section 1.1.3 of the PPS provides policy direction for urban and rural settlement areas, including cities, towns, villages, and hamlets. These areas vary in size, density, population, land uses, and available infrastructure. The vitality and regeneration of settlement areas is crucial to the long-term economic prosperity of our communities.

1.1.3.1 Settlement areas shall be the focus of growth and development.

The subject lands are located within the City's urban boundary, shown on Schedule 2 City Structure of the City's Official Plan, which is a designated settlement area intended to support the majority of the City's growth and development. The proposal seeks to develop underutilized lands within the serviced area of the City.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*

The proposal represents the development and intensification of underutilized lands within Kingston's urban boundary. A high density residential development on the subject lands represents an efficient use of land and existing infrastructure and transit. The compact design and redevelopment of an existing site will reduce land consumption. The lands are currently serviced by existing municipal infrastructure with minor extensions and upgrades required to establish new connections for the proposed blocks.

- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*

The applicant intends to satisfy City of Kingston policies related to sustainable development and will ensure necessary measures are implemented to support efficient and environmentally conscious design standards. The proposed compact built forms, reduced parking ratio and large areas of open, landscaped areas will aid in mitigating the impacts of climate change.

- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*

A reduced parking ratio, in an area of the City well served by Kingston Transit, will promote transit and alternative modes of transportation. The subject lands are also in proximity to commercial, employment, and institutional uses, which supports active transportation.

Section 1.1.3.3 requires that municipalities identify appropriate locations and promote opportunities for intensification and redevelopment, taking into account existing building stock or areas. The City's Official Plan provides direction with respect to intensification, such as encouraging intensification on arterial or collector roads, with access to commercial uses, public recreational facilities, and public transit. Development of the subject lands will utilize existing municipal infrastructure and services as well as surrounding commercial, recreational, and public transit uses. The subject lands are appropriate to support redevelopment and intensification.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The proposed development will provide the subject site with three residential and commercial buildings, consisting of a total of 24 condominium units, 74 seniors' apartments, 141 retirement suites, and 119 hotel rooms. The proposed buildings have been designed and located on the subject site to ensure compatibility with the surrounding neighbourhood and compatibility with the existing heritage features of the subject site. The development will utilize existing municipal services and infrastructure.

1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The subject site is located with frontage on Union Street, Sir John A MacDonald Boulevard and King Street West within an existing built-up area. The proposal will result in the development of an underutilized area of land with three new buildings, consisting of commercial and residential uses, representing a compact built form and density that efficiently uses the land, infrastructure, and surrounding public service facilities.

Section 1.3.1 provides policy direction related to economic development and competitiveness:

- a) *providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) *providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;*
- c) *facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- d) *encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*
- e) *ensuring the necessary infrastructure is provided to support current and projected needs.*

The subject site is proposed to co-locate residential and commercial uses that will support a variety of economic generating activity on the subject site. The residential condominiums and seniors' housing continuum of care community provide an anchor for commercial activity proposed on the site in the form of a hotel and small-scale neighbourhood commercial uses on Blocks C, D, and future development in Block A. The proposed development provides opportunities for a diversified economic base that considers the needs of existing and future businesses, as well as residents. The co-location of these varied uses encourages compact, mixed-use development that supports a liveable and resilient community. The proposed development will incorporate the necessary infrastructure to support the projected needs of these uses and associated users.

Section 1.4 of the PPS includes policies dealing with the provision and supply of housing. Section 1.4.1 and 1.4.2 deal with ensuring an adequate supply of housing is provided and this policy is regularly reviewed and assessed by the City of Kingston. Section 1.4.3 deals with the nature of housing to be provided, and states:

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- b) *permitting and facilitating:*
 - 1. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 2. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*

The proposed development represents intensification of underutilized lands within the urban boundary. The proposed development offers a variety of unit types and unit tenures. The proposed development is proceeding in accordance with Section 1.1.3.3.

- c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

The proposed development is located within a serviced area of the City where capacity meets the needs of the development. The Traffic Impact and Parking Study demonstrates that the existing road network and proposed signalized intersection north of the subject site will have sufficient capacity to accommodate the proposed development.

- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*

The subject site is located on multiple transit routes and in proximity to multiple transit stops. The subject site is located in proximity to multiple commercial, educational, employment and open spaces uses to support the needs of residents. The proposal represents an intensification of an existing underutilized site within the City's urban boundary and the subject lands are in an appropriate location for the proposed development.

- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*

The proposed development represents a transit supportive development due to the location in proximity to the transit routes and transit stops. The proposal represents intensification within the City's urban boundary.

- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

The proposed development will result in 24 condominium units, 74 seniors' apartments, 141 retirement suites, and 119 hotel rooms which offers a mix of unit types and tenures, facilitating compact built form, minimizing the cost of housing, and maintaining health and safety.

Policies related to public spaces, recreation, parks, trails and open spaces are provided in Section 1.5.1 states:

Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
- c) providing opportunities for public access to shorelines; and*
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.*

The proposed development promotes a healthy, active community through the provision of a pedestrian pathways throughout the subject site and to areas outside of the subject site. The subject site is located in proximity to Kingston's Waterfront Path, is in walking distance the Portsmouth Olympic Harbour, and various public parks. The proposal incorporates ample green space and appropriate landscaping to facilitate active lifestyles, especially with the provision of a privately maintained park on Block E, which naturally connects residents and users of the site to Kingston's waterfront.

Section 1.6 provides policies related to infrastructure and public service facilities, including sewage, water, stormwater, and transportation systems.

1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

The subject site is located within a settlement area and will utilize existing municipal sanitary and water services. The proposal represents the optimization of public services through the adaptive re-use of existing infrastructure and the intensification of an underutilized site within the City.

1.6.6.7 Planning for stormwater management shall:

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

The Servicing and Stormwater Management Report demonstrates that stormwater management will be achieved via on-site storm water retention and no adverse impacts are anticipated.

1.6.7.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.

Improvements to the City's transportation network immediately surrounding the site, including a new signalized intersection from the Block C vehicle entrance and Campus Lane will be addressed as recommended by the Traffic Impact and Parking Study. These improvements will facilitate the safe and efficient movement of people and goods into and out of the subject site.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

The subject lands are located with frontage on Union Street, Sir John A MacDonald Boulevard and King Street West, identified as Collector and Arterial Roads on Schedule 4 Transportation of the City's Official Plan. The lands are in proximity to public transit, which will provide opportunities for active transportation modes. As well, given the site's proximity to employment, commercial, open space, and institutional uses, residents may be able to reduce their dependency on the private automobile.

Section 1.7 provides policy direction related to long-term economic prosperity:

1.7.1 Long-term economic prosperity should be supported by:

- a) promoting opportunities for economic development and community investment-readiness;*
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*
- f) promoting the redevelopment of brownfield sites;*
- g) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;*
- h) providing opportunities for sustainable tourism development;*
- i) sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agrifood network;*
- j) promoting energy conservation and providing opportunities for increased energy supply;*
- k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and*
- l) encouraging efficient and coordinated communications and telecommunications infrastructure.*

The proposed development will support long-term economic prosperity within the City of Kingston through a response to dynamic market-based housing needs as well as seniors' housing needs. The proposed development will support a range of housing options and employment opportunities for a diverse workforce. The redevelopment of the subject site will help to conserve and enhance cultural heritage features within the City, while optimizing and intensifying the use of public infrastructure such as sewage, water, and transportation services. Adaptively reusing the site in an efficient and attractive manner makes efficient use of land and thus minimizes impacts on the environment and the economy. The long-term prosperity of the City will be addressed through the provision of commercial and tourist-attracting uses nearby to historic and tourist sites in Kingston, thus providing opportunities for sustainable tourism development.

Section 1.8 provides policy direction related to energy conservation, air quality and climate change:

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- a) promote compact form and a structure of nodes and corridors;*
- b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*

- c) *focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;*
- d) *focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;*
- e) *encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
- f) *promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and*
- g) *maximize vegetation within settlement areas, where feasible*

The proposal consists of compact built forms to facilitate a dense development. The proposed development promotes active transportation and provides sufficient access to transit, which will shorten commute journeys and decrease transportation congestion across the City. Large areas of open space and landscaping will be provided. The subject site is adjacent to Queen's University West Campus and Corrections Canada offices, which are two major employers within the City of Kingston. The site is also conveniently located between St. Lawrence College, Queen's University Main Campus and the Central Business District which will facilitate transit use between major employment centres and this residential, mixed-use area.

Section 2 of the PPS gives consideration to the wise use and management of resources, such as significant natural heritage features and areas, watersheds, prime agricultural areas, mineral petroleum resources, and significant built and cultural heritage resources. There are no natural resources or features in the area that would be affected by, or could affect, the proposal.

The policies of Section 2.6 provide direction related to cultural heritage and archaeology.

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

The subject site was designated under Part IV of the *Ontario Heritage Act* in 2007, the former Prison for Women (P4W) building had status as a 'Recognized' federal heritage building, resulting from a 1989 Federal Heritage Building Review (FHBRO) building report, and the 'West Yard' portion of the property is part of the Kingston Penitentiary National Historic Site of Canada. A Heritage Conservation Strategy was prepared in support of the proposed development to identify significant heritage elements of the site and surrounding area and provide strategies to ensure their conservation. The Strategy highlights the culturally significant views to the subject site, from the subject site and within the subject site, including views of the former P4W Administration Building and the view of Lake Ontario to the south. The Heritage Strategy acknowledges that the proposed development will enhance the subject site and protect and preserve the identified heritage views through thoughtful site layout and building design. Recommendations, such as inclusion of podiums for new buildings to establish a relationship with the existing P4W building, the incorporation of strong vertical elements to complement the existing P4W, and large building separations were provided to ensure that the proposed redevelopment will conserve the significant built heritage resources and heritage views. Further, the proposed development seeks to retain and re-use the former P4W building.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

The subject site, with the exception of the area south of the West Yard line, has undergone four stages of archaeological assessment to confirm the archaeological potential of the site. The Stage 4 Archaeological Assessment confirmed no further archaeological significance is present on the subject site. However, the assessment acknowledged that any future proposed development or sub-surface disturbance within the area located south of the West Yard line will require that additional Stage 3 testing is completed within the applicable area, as there is an existing Restrictive Covenant that prohibits any land development within the area south of the West Yard line. The Stage 3 Archaeological Assessment is expected to be completed for the remaining area of the property in the summer of 2021.

2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

The subject site is located east of the Portsmouth Village Heritage Character Area and the West Yard is identified within the Heritage Corridor Area on Schedule 9 Heritage Areas, Features and Protected Views of the City of Kingston's Official Plan. A Heritage Conservation Strategy was prepared in support of the proposed development. A significant portion of the remaining prison wall along the western property boundary is anticipated to remain and in locations be preserved. As well, the West Yard and its open space will be retained to ensure conservation of this heritage feature of the site. Through integration of the Heritage Strategy guidelines, including large building separations, thoughtful building materials, colours palette and design, as well as maintaining and protecting identified heritage views, the proposed development is not anticipated to negatively impact the adjacent and surrounding heritage properties.

2.6.4 Planning authorities should consider and promote archaeological management plans and cultural plans in conserving cultural heritage and archaeological resources.

The proposal will be developed according to the recommendations set out by the Heritage Conservation Strategy and has undergone four stages of archaeological assessment.

2.6.5 Planning authorities shall engage with Indigenous communities and consider their interests when identifying, protecting and managing cultural heritage and archaeological resources.

It is acknowledged that the subject site is situated on the Anishinaabe, Haudenosaunee, and Huron-Wendat territory, and that the lands have also been occupied by Métis, Inuit, and other Indigenous groups. The applicant has been involved in ongoing consultation with the P4W Memorial Collective in an effort to address the interests of previous residents of the P4W, including Indigenous residents. The Heritage Conservation Strategy describes the proposed Memorial Garden to be incorporated in the proposed development with the intent of commemorating the emotional history that the subject site represents for many past residents. The Memorial Garden is anticipated to incorporate Indigenous design principles and cultural elements. The West Yard Park is designed for various uses including community events such as healing circles and other small scale outdoor performances.

Section 3 of the PPS seeks to ensure the protection of public health and safety. The policies in this section direct development away from natural hazard lands such as floodplains and erosion-prone areas. This section also seeks to protect development from human-made hazards such as former mining and aggregate extraction operations, and other types of contaminated areas. The subject site does not contain any natural hazards.

It is our professional planning opinion that the proposed development is consistent with the 2020 Provincial Policy Statement.

5.3 City of Kingston Official Plan

The City of Kingston's Official Plan describes goals, policies and objectives intended to guide the City's development over the planning horizon identified in the plan. The Official Plan was updated following the Ministry of Municipal Affairs' Approval of Official Plan Amendment (OPA) 50, which went into effect on August 29, 2017. The November 1, 2019 consolidation of the Official Plan is the most readily available version on the City's website.

The following sections of the Official Plan are reviewed below:

- / Section 2: Strategic Policy Direction;
- / Section 3: Land Use Designations & Policy;
- / Section 4: Transportation & Infrastructure;
- / Section 5: Protection of Health & Safety;
- / Section 6: The Environment & Energy;
- / Section 7: Cultural Heritage & Archaeology;
- / Section 8: Urban Design; and
- / Section 9: Administration & Implementation.

Section 2: Strategic Direction

Section 2 of the Official Plan provides strategic policy direction related to the development of lands within the City. Schedule 2 of the Official Plan establishes the intended City Structure, which identifies the broad areas and structural elements of the City, noting areas where growth is anticipated to occur. The subject site is located within the City's Urban Boundary and the Major Institution designation on Schedule 2. Although the site is

currently located with the Major Institution designation, the proposed Official Plan Amendment seeks to redesignate the lands to the Housing District to appropriately recognize the proposed residential and mixed-use development sought through the redevelopment.

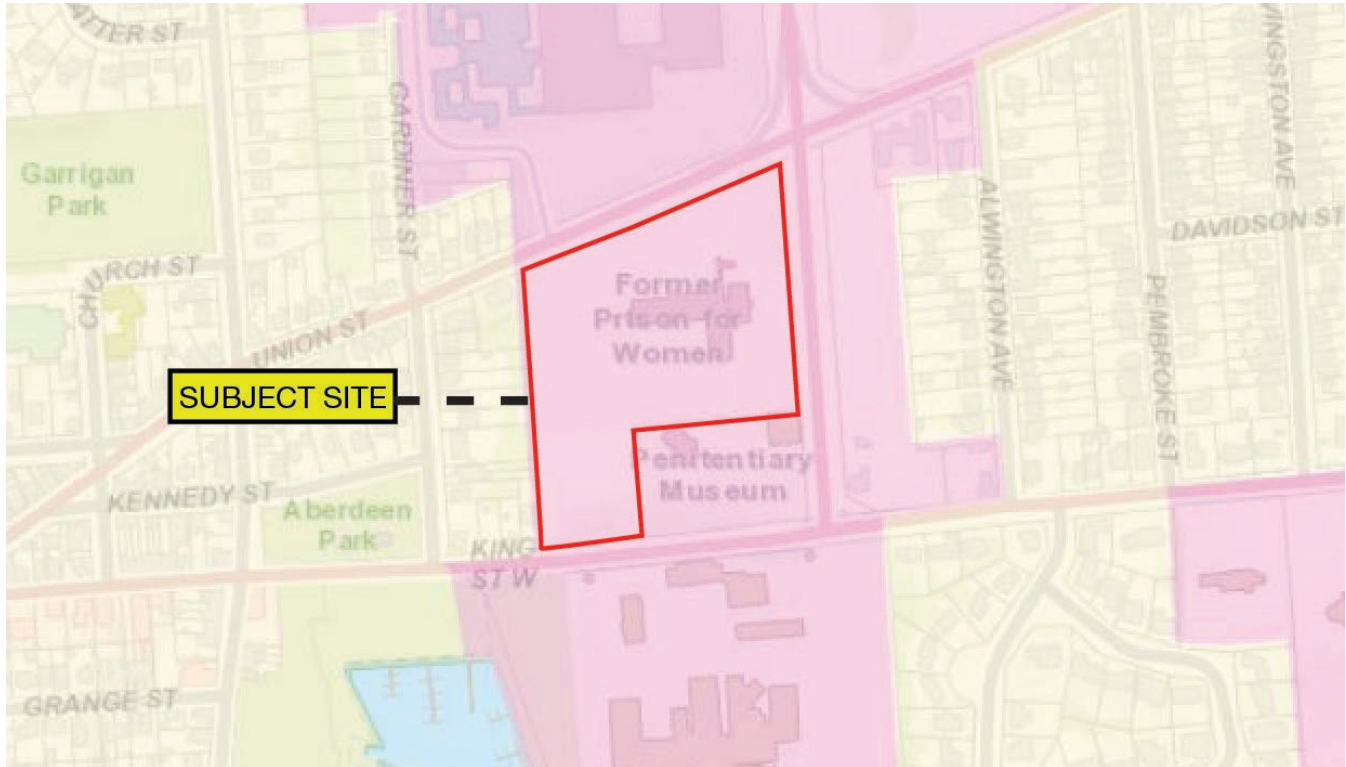


Figure 29: Schedule 2 City Structure (Source: Kingston K-Maps)

Section 2.1.5 discusses City Initiatives:

2.1.5. In the design and operation of City buildings, land, equipment and facilities, the City will seek to lead by example through initiatives that promote sustainability, including but not limited to:

- a. use of energy efficient design and green building practices, and the application of the City's Municipal Green Building Policy;*
- d. use of streetscape design that coordinates movement of pedestrians, cyclists and transit, and addresses accessibility matters through the application of universal design principles;*
- e. use of sustainable practices, products, landscaping, green infrastructure and materials;*
- g. adaptive re-use and promotion of cultural heritage resources;*

The applicant intends to consider the City's green development standards through the use of energy efficient building practices and building materials, as well as sustainable and accessible design practices throughout the development process. Pedestrian experiences will be paramount in the development of the subject site, through the enhance of the streetscape and the introduction of additional sidewalks, pedestrian pathways, and street furniture. Substantial areas of landscaping will also be added throughout the site. The proposal will result in the adaptive re-use of the former Prison for Women building and promotion of a cultural heritage resource in the City.

Section 2.2.5 provides policy direction for lands within the Housing District designation on Schedule 2. Although the subject site is not currently located within this designation, the proposed Official Plan Amendment seeks to re-designate the subject site to the Housing District designation on Schedule 2.

2.2.5. Housing Districts are planned to remain stable in accordance with Section 2.6 of this Plan, but will continue to mature and adapt as the City evolves. Re-investment and upgrading will be encouraged through minor infilling and minor development (i.e., that which can integrate compatibility within the prevailing built form standards of height, density and amenity that are generally found in the

neighbourhood). Housing Districts will be designated for residential uses of different types, but will also contain areas of open space, community facilities and commercial uses.

The subject site is proposed to be re-designated to the Housing District designation. The proposed development will introduce a variety of residential buildings consisting of various unit types and tenures. The proposal seeks to redevelop the subject lands to result in an adaption and evolution of the Union Park site. The proposal will also appropriately integrate small scale commercial and open space uses to support residents as well as the surrounding community. The proposed development is an ideal location for increased density based on its size and its proximity to major employment uses and Kingston's Downtown.

Section 2.2.13 states:

Major Institutions as having large landholdings, primarily held by upper levels of government, including the Canadian Forces Base, Collins Bay and Kingston Penitentiaries, the Kingston Psychiatric Hospital lands, along with multiple properties held by Queen's University. If such areas within the Urban Boundary (except for Special Planning Areas referenced in Section 2.2.12) become available for development, they will be considered in the context of a secondary plan that includes analyses of transportation, infrastructure, and financial implications to be reviewed by the City.

Although the subject site is currently designated Major Institution on Schedule 2 City Structure, the proposed Official Plan Amendment seeks to re-designate the subject site to the Housing District to facilitate the redevelopment of the subject site.

Section 2.3 of the Official Plan addresses the Principles of Growth applicable to development in the City. Section 2.3 states:

The City will continue to support compatible forms of intensification so as to efficiently use infrastructure, minimize land consumption, support the use of public transit, reduce air and other forms of pollution, and thus foster sustainable growth in the City. Future population, housing and employment projections will be scoped to consider the potential effects of factors including, but not being limited to, declining average household size, inward/outward migration, and demographic shifts (e.g., aging baby boomers).

The proposed development is a compatible form of intensification within the urban boundary that will minimize land consumption through the redevelopment of an existing underutilized parcel, efficiently use infrastructure and transit, and foster sustainable growth in the City. The proposed development addresses the demographic shifts taking place within the City through the provision of the seniors' housing continuum of care, which provides differing levels of independent living to suit a variety of residents' needs. Additionally, a mix of unit sizes will be provided in the form of condominium units within the former Prison for Women building to accommodate different household sizes.

Section 2.3.2 identifies that the City intends to increase the overall net residential and non-residential density within the Urban Boundary. This is to be done through the development of compatible and complementary intensification of under-utilized properties and through the implementation of area specific policy directives outlined in Secondary Plan Areas. Redevelopment of the subject site will contribute towards increasing the net residential and non-residential density within the Urban Boundary.

Section 2.3.6 provides policy direction for Future Planning Areas identified on Schedule 13 of the Official Plan. The subject site is located within Area 13 identified as the Near Campus Neighbourhood Future Planning Area. Section 2.3.6 states:

In accordance with the Central Accommodation Review, the City will undertake an intensification study of areas near to the campuses of Queen's University and St. Lawrence College (Planning Area Number 13 on Schedule 13) to identify locations that would be appropriate for larger scale, medium or higher density, residential development. Once complete, the findings of the Study will be implemented through Official Plan amendments and the use of regulatory controls (e.g., pre-zoning), as appropriate. The process of undertaking the Study will include a comprehensive process of public engagement and opportunities for stakeholder input.

The City-initiated study and associated public engagement opportunities related to Future Planning Area 13 have not yet occurred. The proposed redevelopment and associated planning applications provide a fulsome review of the subject site as an appropriate location for large scale higher density development. The proposed Zoning

By-law Amendment will establish appropriate regulatory controls for the subject site. Siderius Developments Ltd. has already engaged in consultations with community groups and individuals. Additional public input and engagement will occur through a future public Open House and Statutory Public Meeting.

2.3.7. The City will promote and protect employment areas and pursue increased levels of job creation in the commercial, institutional and industrial sectors in order to foster a diversified and vigorous economic base with a range of opportunities for its residents.

The proposed development will incorporate employment opportunities through the hotel and small-scale commercial uses including a convenience store and restaurant in Block D and the salon and spa in Block C to support residents of the site and the surrounding community. The seniors' housing continuum of care on Block C will also incorporate employment opportunities which will support the community.

2.3.8. Cultural heritage resources will continue to be valued and conserved as part of the City's defining character, quality of life, and as an economic resource that contributes to tourism in both the urban and rural portions of the City.

The subject site is of cultural heritage value not only as an individually designated property, but also as part of a larger cultural heritage landscape of penitentiary lands within the City of Kingston. As well, the subject site was designated under Part IV of the *Ontario Heritage Act* through By-Law Number 2007-167 City of Kingston. A Heritage Strategy has been prepared and submitted in support of the proposed applications to demonstrate the thoughtful redevelopment of the subject site which will respect the former Prison for Women building as well as the identified heritage views. The history and heritage attributes of the subject site will remain an integral aspect of the site going forward and will be commemorated appropriately with City and public input incorporated. The history of the site and its location within the cultural heritage landscape of penitentiary lands will position it as a resource that continues to contribute to the tourism economy.

Section 2.4.5 references the City's strategic intensification targets, stating that 40 percent of new residential development is planned to occur through intensification. By increasing the residential density of the underutilized subject site, the proposed development will contribute to the City's strategic intensification target.

Section 2.6 outlines policies related to development in stable areas of the City, and states:

Many neighbourhoods in the City of Kingston have remained stable for generations and are expected to remain so during the lifetime of this Plan. The protection of neighbourhoods is a fundamental concern of residents. In accordance with Section 2.2, Housing Districts are planned to remain stable whereas Centres and Corridors are the areas within which change and intensification are intended. The Secondary Planning Areas, Specific Policy Areas and Future Planning Study Areas illustrated in Schedule 13 have been, or are planned to be, subject to strategic planning activities intended to support land use change and development. Accordingly, while some portions of these areas may be characterised as stable, other areas are expected to undergo fundamental change. This section sets out the strategic planning approach to address development applications for change in stable areas and guides the City in responding to applications that have the potential to destabilize an area.

The subject site is located within the Near Campus Neighbourhoods Future Planning Study Area identified on Schedule 13 of the Official Plan, which is intended to support fundamental land use change and development. It is appropriate for the proposed redevelopment and intensification of the subject site to occur.

The policies in Section 2.7 are intended to ensure that redevelopment and new development are compatible in terms of function and character with existing development. Section 2.7 also seeks to limit adverse effects and meet the long-term needs of users and occupants. Compatibility is defined in the Official Plan as "*The ability of various land uses, buildings, sites, or urban design treatments to co-exist with one another in a manner that will not have an undue physical or adverse effect on, existing or proposed development in the area, or pose an unacceptable risk to environmental or human health.*"

Section 2.7.1 requires that development must demonstrate that form, function, and land use are compatible with surrounding land uses. Section 2.7.2 outlines the policies directing compatible development and land use change. New development is required to demonstrate compatibility and consider any potential adverse impacts which may negatively affect the area and surrounding uses. The proposed development consists of residential

intensification of underutilized lands within the City's Urban Boundary. Section 2.7.3 expands upon the requirements for land use compatibility matters, as follows:

a. shadowing;

A Shadow Study was prepared by Fotenn Planning + Design. The shadow diagrams, demonstrate that while shadows are cast to the north and east of the development, they are predominantly contained within the adjacent parking lots where they will have no adverse impacts. Where shadows are cast on the western residential properties, no buildings or rear yards are blocked for a significant amount of time and continue to receive ample amounts of sunlight access for the majority of the day. The subject site has been designed with consideration to minimize shadow impacts on neighbouring properties.

b. loss of privacy due to intrusive overlook;

The buildings have been designed and situated within the subject site to minimize overlook impacts on adjacent properties. Blocks A, B and D are located with frontage on Union Street and Sir John A MacDonald and are not adjacent to uses which would result in privacy loss. Block C is located on the western edge of the subject site adjacent to residential uses. Strategic design considerations have been implemented to reduce the potential for loss of privacy for adjacent dwellings. The Block C building will have setbacks between 13.2 metres and 24.6 metres from the west property line to minimize potential overlook. In addition, the proposed seniors' housing continuum of care building will have building separations between ranging from 18 metres to 55 metres with the nearest adjacent residential dwellings, which will further serve as a separation for mitigating overlook. The retention of the existing tree canopy on the neighbouring lands and the majority of the existing prison wall will also aid in reducing overlook potential.



Figure 30: Anticipated backyard views of the adjacent properties from the proposed tenth storey of Block C (Source: Fotenn Planning + Design)

c. increased levels of light pollution, noise, odour, dust or vibration;

A Preliminary Noise Impact Study has been conducted for the proposed development. External stationary noise sources such as central air conditioning and rooftop mechanical equipment will be further detailed at the Site Plan Control Stage. While there will be short-term impacts associated with site construction, once occupied, the proposed residential uses are not anticipated to increase levels of light pollution, noise, odour, dust, or vibration.

d. increased and uncomfortable wind speed;

A Wind and Snow Assessment was completed to assess wind or snow impacts which may occur internal to the subject site. Mitigation measures have been provided to reduce wind and snow impacts on site. No impacts are anticipated to occur which would affect wind speed in the area. Wind screens and protective guards will be introduced to the site to ensure the comfort of its residents and to reduce wind speeds traveling throughout the property. In support of the proposed development and outlined a variety of mitigation measures to reduce the negative impacts of increased winds.

- e. *increased level of traffic that can disrupt the intended function or amenity of a use or area or cause a decrease in the functionality of active transportation or transit;*

A Traffic Impact Study has been prepared which does not anticipate any negative effects on the surrounding transportation network or transit system resulting from the proposed development. The Study demonstrates that the proposal will advance much-needed improvements to the traffic and active transportation infrastructure in the area, through the development of accessible pedestrian crossings on Union Street, and the introduction of **new** traffic lights. The intensification of the subject site will increase the functionality of Kingston Transit service by providing increased ridership on routes operating in proximity to the subject site.

- f. *environmental damage or degradation;*

Schedule 7A and 8A Natural Heritage of the Official Plan does not identify any natural features within the subject site or surrounding area. The proposed uses are residential, commercial

, and open space and are not expected to damage or degrade the environment.

- g. *diminished service levels because social or physical infrastructure necessary to support a use or area are overloaded;*

The Servicing and Stormwater Management Report concludes that existing municipal services will accommodate the proposed development with minor upgrades to the connections. The subject site is in proximity to transit routes, parks, schools, post-secondary institutions, and health care facilities. The proposed development will incorporate commercial uses and a large open space area. Service levels will not be diminished as a result of the proposed development.

- h. *reduction in the ability to enjoy a property, or the normal amenity associated with it, including safety and access, outdoor areas, heritage or setting;*

The proposed redevelopment will be contained within the boundaries of the subject site and landscape buffering and large setbacks will assist in mitigating adverse effects on surrounding properties. The heritage value of the site will be maintained and available to future residents and visitors, and outdoor areas will be furnished and landscaped so to provide safe and comfortable amenity space. The design of the proposed development incorporates CPTED principles which will help promote safety. No negative impacts to individual safety are anticipated to occur as a result of the development.

- i. *visual intrusion that disrupts the streetscape or buildings;*

The proposed development is intended to preserve identified heritage views, while providing an engaging and aesthetically pleasing buildings which interact with the streetscape. As noted in the Urban Design Study, commercial uses are proposed on the ground floor of Blocks C and D and likely to be a component of the future development to occur on Block A. The provision of these uses at pedestrian-scale will visually and physically engage pedestrians, while creating a relationship to the street. Additionally, buildings have been oriented on the subject site to maintain visual penetration of the site where appropriate, such as from the north and along Sir John A MacDonald Boulevard, while protecting privacy from the west.

- j. *degradation of cultural heritage resources;*

The Heritage Conservation Strategy indicates the adaptive reuse, retention, and maintenance of on-site heritage features and resources is a crucial part of the proposed development. Implementing design elements into the new proposed buildings that complement significant heritage elements of the existing Prison for Women building, commemorating the emotional impact of the subject site, and removing non-significant aspects from the site will all be undertaken per the recommendations of the Strategy to ensure the protection of cultural heritage resources.



Figure 31: Aerial view of Union Park capturing proposed rehabilitation of the former Prison for Women and its integration within the broader site. Block B in the foreground, Block C in the background, and Block D on the left. (Source: CSW Landscape Architects)

k. architectural incompatibility in terms of scale, style, massing and colour; or,

The Urban Design Study emphasizes the importance of the proposed buildings' massing reflecting existing and historical contexts. To achieve pedestrian-scale and appropriate massing, step-backs will be implemented into the buildings via the podia. The proposed podia and associated step-backs will contribute to a visual emphasis on the three to four storey architecture and historical significance of the former Prison for Women. Further, the Heritage Conservation Strategy recommends building materials and colours which complement the former Prison for Women building, which will ultimately ensure compatibility with the surrounding area.

l. the loss or impairment of significant views of cultural heritage resources and natural features and areas to residents.

Significant cultural heritage views have been identified and examined by the Heritage Conservation Strategy and the Urban Design Study. The proposed buildings will be oriented in a manner that dedicates as much space as possible to through-views of the site from the north and east to Lake Ontario. The site will also be developed with careful attention paid to the central heritage component, the former Prison for Women, to ensure it is preserved and regarded from a variety of angles. Block E will be revitalized as a park and garden across from the former Kingston Penitentiary where perennial and native species will flourish, and landscaped linkages to the waterfront will be provided. The proposed development is anticipated to enhance the identified cultural heritage resources and views on the subject site and within the surrounding area.

Section 2.7.4 of the Official Plan contains policies regarding mitigation measures for achieving development and land use compatibility. Section 2.7.4 requires that some or all of the following mitigation measures be implemented if land use compatibility concerns are identified:

a. ensuring adequate setbacks and minimum yard requirements;

Although relief is being sought for various setbacks, adequate building separation is provided between the proposed buildings as well as between the proposed buildings, surrounding existing dwellings and institutional buildings. Due to the identified heritage views to the subject site, within the subject site and from the site to surrounding areas, buildings have been strategically located on the subject site to protect these views, but results

in some instances of necessary setback reductions. Despite these reductions, appropriate setbacks to adjacent uses will be provided along with landscape buffers and open space to ensure necessary separation.

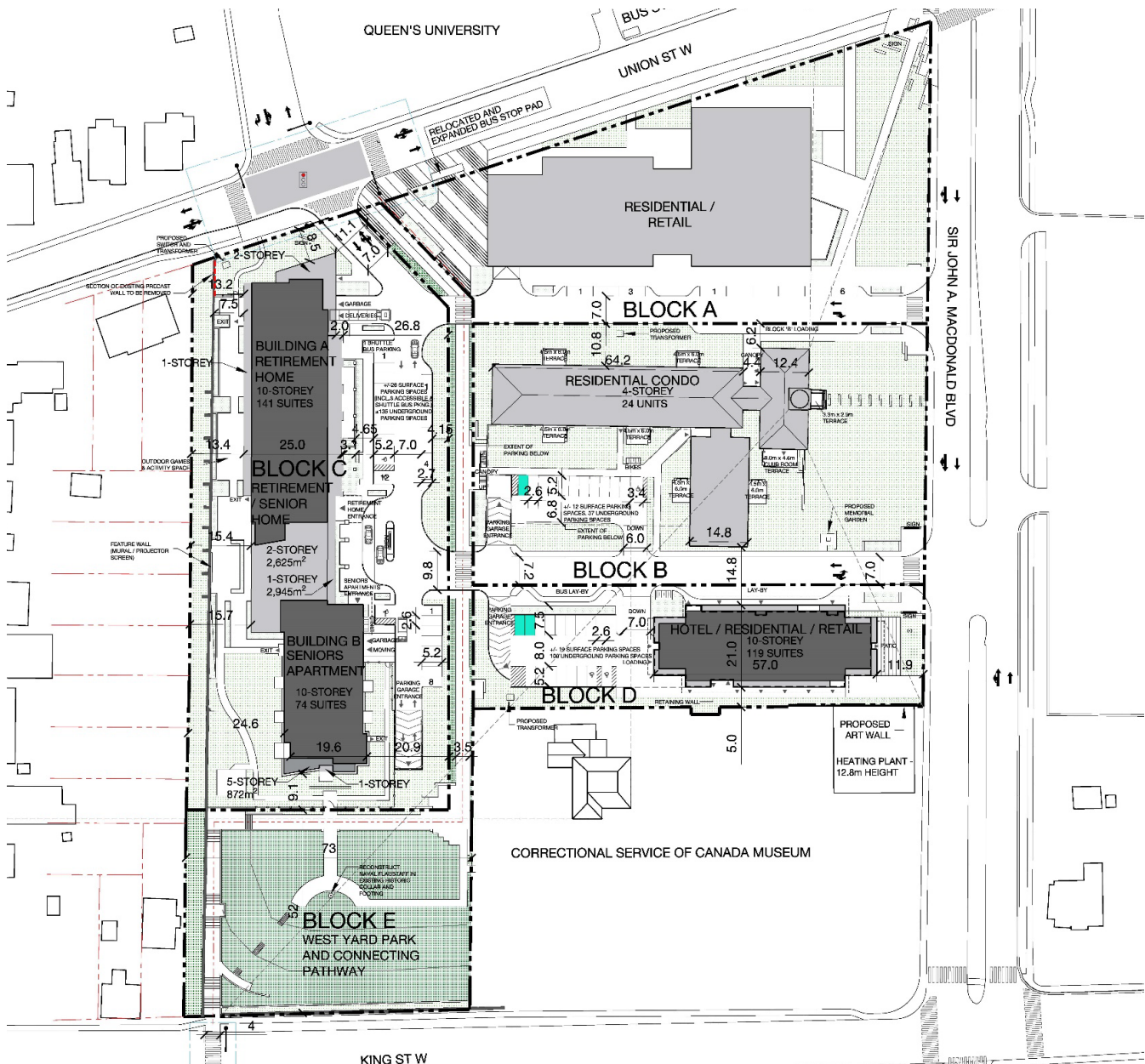


Figure 32: The proposed concept plan illustrates the significant yards and setbacks proposed within the site as well as to adjacent buildings (Source: Fotenn Planning + Design)

b. establishing appropriate transition in building heights, coverage, and massing;

The Heritage Conservation Strategy and Urban Design Study indicate that podia and step-backs of the taller storeys of new buildings should be incorporated to provide a comfortable pedestrian-scale and to preserve significant views of the former Prison for Women and nearby waterfront. The provision of podia within the proposed development reduces perceived building height associated with the development, while preserving available landscaped open space at ground-level. The proposed setbacks and building separation reduce the potential for shadowing, intrusive overlook or privacy concerns. The proposed development will ensure there is an appropriate transition in building heights, coverage and massing.

c. requiring fencing, walls, or berming to create a visual screen;

The proposed development will largely retain the former prison perimeter stone wall along the west property boundary. Fencing is not proposed for the remainder of the site boundary or between the proposed blocks. Visual screening will generally be provided by landscaping and retention of the majority of the prison wall along the west property boundary.

d. designing the building in a way that minimizes adverse effects;

Each of the proposed buildings have been designed in a way to respect and be compatible with the surrounding area and cultural heritage resources. Building articulation will provide interest in the built form. The thoughtful building design, choice of building materiality, and the location of each of the proposed buildings in relation to the surrounding built form is not anticipated to have adverse effects on the surrounding area.

e. maintaining mature vegetation and/or additional new landscaping requirements;

Existing vegetation will be preserved to the extent possible however, the removal of some vegetation is required within the proposed building envelope and parking areas to allow for paving and safe maneuvering of vehicles. A Landscape Design Intent has been prepared which indicates that new landscaping will be introduced to the subject site. The entirety of Block E will be treated with soft and hard landscaping features. Large areas of open space and landscaping will be provided between proposed buildings throughout the remainder of the subject site. Outdoor amenity areas will be treated with vegetation and landscaping features, with some areas suggested to be adorned with vegetative buffers to protect from wind per recommendation of the Wind and Snow Study.

f. controlling access locations, driveways, service areas and activity areas; and,

The proposed development will integrate a vehicular entrance from Union Street and two vehicular entrances from Sir John A MacDonald Boulevard. Internal roadways will be provided throughout the subject site and between the proposed blocks to maximize internal connection. Delineated pedestrian pathways have been provided throughout the subject site from vehicular entrances, building entrances and the municipal rights-of-way. Each building entrance will be clearly delineated. No adverse impacts are anticipated associated with access locations, driveways, service areas or activity areas on the subject site. The Traffic Impact Study conducted suggests that no conflicts are anticipated to occur related to emergency or privately-owned vehicles accessing the site.

g. regulating location, treatment and size of accessory uses and structures, lighting, parking areas, garbage storage facilities and signage.

The majority of on-site parking will be provided in underground parking garages as well as some convenience parking in surface parking lots. Garbage, mechanical and electrical facilities for the majority of buildings will be provided on the first floor, with Block C providing mechanical and electrical infrastructure both within the basement and mechanical penthouse(s) at the roof level. The Traffic Impact Study concluded that garbage storage facilities and removal areas were appropriately located on the subject site. Sufficient lighting to serve vehicles and pedestrians alike will be adequately provided throughout the subject site to ensure safety.

All development in the City is required to meet the functional needs of users in the long-term to protect property owners, users and occupants. The following functional needs are listed in Section 2.7.6:

a. suitable scale, massing and density in relation to existing built fabric;

The development proposes the rehabilitation of the former Prison for Women building on Block B with 24 residential units, development of Block C with a 10-storey seniors' housing continuum of care community consisting of 215 seniors' apartment and retirement suites, and development of Block D with a 10-storey building consisting of 119 hotel suites. Each of the proposed buildings have been thoughtfully designed, located, and oriented on the subject site based on the recommendations of the Heritage Conservation Strategy to ensure appropriate setbacks and appropriate transitions are provided within the development as well as to surrounding uses. The proposed density will support surrounding transit infrastructure, commercial, employment and retail uses, and the site's location at the intersection of Sir John A MacDonald Boulevard and Union Street.

b. appropriate landscaping that meets or improves the characteristic green space amenity of the site and surroundings and enhances the City's tree planting program;

The proposed development will provide appropriate landscaping and interior and exterior amenity area in the form of common passive and programmed spaces, balconies, patios, and rooftop terraces. Block E will provide landscaped amenity space for use by residents and the public and pedestrian infrastructure, such as pathways

and sidewalks, will be provided throughout the subject site to provide connection to Block E. The pathway on Block E will also incorporate interpretive heritage signage. These additions will improve the existing condition of the subject lands.

c. adequate land area and appropriate site configuration or provision for land assembly, as required;

The subject site has an area of approximately 3.28 hectares and is an appropriate size to accommodate the proposed development. The development will be configured in a manner that provides connectivity between blocks, as well as sufficient pedestrian, vehicle, and cycling infrastructure throughout the site. Buildings will be oriented in a way that maximizes views and existing open space will be enhanced and further integrated throughout the site.

d. efficient use of municipal services, including transit;

The Servicing and Stormwater Management Report and Traffic Impact Study indicate sufficient municipal servicing and infrastructure is available to support the proposed development. The subject site is surrounded by Kingston Transit routes and is served by nearby transit stops.

e. appropriate infill of vacant or under-utilized land; and,

The proposal represents the infill and intensification of an existing underutilized, culturally significant site within the City's urban boundary. The subject site is in proximity to transit, open space, commercial, retail and employment uses. The subject site is an appropriate location for the development of residential, commercial, and open space uses.

f. clearly defined and safe:

- *site access;*

Vehicle site accesses are clearly defined on Union Street and Sir John A MacDonald Boulevard with driveways separated from pedestrian traffic movement. Pedestrian pathways will be provided throughout the subject site and clearly defined to ensure safe separated pedestrian access.

- *pedestrian access to the building and parking spaces;*

Pedestrian access to the site will be available from Union Street, Sir John A MacDonald Boulevard and King Street West via defined pedestrian pathways. The buildings will be articulated to accentuate key corners and entrances to establish key focal points and prioritize pedestrian safety and access. Pedestrian pathways through the subject site will provide access to parking areas and amenity areas.

- *amenity areas;*

Interior and exterior amenity areas are proposed for each building and block with additional exterior amenity area available to residents and the public on Block E.

- *building entry; and,*

Each proposed building will have a well-defined main entrance to establish key focal points and prioritize pedestrian safety and access. The main entrance to Block B will be provided from the internal surface parking area on the south side of the building, Block C main entrance will be located on the east side of the building, and Block D main entrance will be located on the north side of the building. The future main entrance from Block A is anticipated from either the Union Street or Sir John A MacDonald Boulevard entrance. All main entrances will be appropriately identified and well-defined.

- *parking and secure and appropriate bicycle facilities.*

A total of approximately 239 on-site parking spaces are proposed, including approximately 12 surface and 37 underground spaces on Block B, approximately 26 surface and 135 underground spaces on Block C, and approximately 19 surface and 100 underground spaces on Block D. Bicycle parking will be appropriately provided for each block and storage will be provided in both indoor and outdoor secured and covered areas. Necessary Block A parking requirements will be assessed through a future transportation study.

Section 2.8 provides direction for protection of resources including cultural heritage resources. Section 2.8.8 states:

Cultural heritage resources, will be conserved, managed and promoted for their contribution to the City's unique identity, history and sense of place in such a way as to balance heritage concerns with environmental and accessibility issues. Care will be taken not to put the existing UNESCO World Heritage Designation of the Rideau Canal, Fort Henry and the Kingston Fortifications at risk by working with partners to implement the Rideau Corridor Landscape Strategy.

The subject site is designated under Part IV of the *Ontario Heritage Act* and is part of the larger cultural heritage landscape of penitentiary lands within the City of Kingston. The Heritage Conservation Strategy assesses the proposed redevelopment of the subject lands and provides mitigation measures to ensure that the built heritage resources and heritage value of the subject site are retained and celebrated through the proposed redevelopment.

Section 2.9 provides policy direction for economic development. Section 2.9.3 provides direction related to tourism and the relevant subsections have been assessed below:

2.9.3. In recognition of the many cultural heritage resources and natural heritage features and areas that attract tourists to the City, and the contribution of the tourist industry to the City's economy, the City will support the implementation of the Kingston Culture Plan and the Integrated Cultural Heritage and Cultural Tourism Strategy and a range of initiatives designed to expand the City's tourism potential, following sustainable tourism practices, including

- a. fostering the City's reputation as a centre for cultural heritage in North America through support for the cultural heritage resources of the City including specific conservation and enhancement programs or projects, in consultation with Heritage Kingston, Tourism Kingston, agencies of other levels of government responsible for cultural heritage resources and community partners and stakeholders;*
- b. enhancing cultural tourism by continuing to invest in, develop, market and sustain the range of historical and cultural assets in Kingston to benefit residents and visitors alike;*
- c. improving parking for vehicles and bicycles, transit, hospitality uses and facilities, and accessibility to the Central Business District;*
- k. continuing to support the City-owned museums and local museum organizations;*
- l. supporting cultural vitality and creative place-making across Kingston through innovative arts-based programs and initiatives, including public art; and,*

The subject site is designated under part IV of the *Ontario Heritage Act* and located in proximity to the Corrections Canada Penitentiary Museum, located at 555 King Street West, and the St. Lawrence Parks Commission's Kingston Penitentiary Museum, also located on King Street West. The site serves as a tourism site in conjunction with the surrounding museums. The proposed development will result in the rehabilitation of the Administration Building, Cell Block and new Annex Wing, which may contribute to visitors to the site. The applicant recognizes the opportunity for this development to have a positive cultural and economic impact on tourism in Kingston and aims to ensure that tourism can be conducted smoothly and efficiently in and around the site. The opportunity and support for tourism also contributes to the proposed hotel being located on the subject site. Overall, the proposed development seeks to become a destination within the City.

The proposed development and Official Plan Amendment conform to the policies of Section 2 of the City's Official Plan.

Section 3: Land Use Designations and Policy

Section 3 of the Official Plan establishes and describes the land use designations regulating the character and intended function of lands within the municipality. The subject site is designated Institutional on Schedule 3-A Land Use of the Official Plan. Section 3.5.1 of the Official Plan indicates that the Institutional designation permits a variety of uses including post-secondary institutions, hospitals and care facilities, extended care complexes, corrections facilities, military establishments, and government and religious administrative centres, as well as complementary and accessory uses associated with those uses. The current land use designation of the subject site does not permit the development as proposed. As a result, in order to allow the proposed residential, commercial, and open space uses on the subject site, an Official Plan Amendment is necessary to re-designate the subject site from Institutional to Residential and Specific Policy Area. Therefore, the policies of the intended Residential land use designation are reviewed in this section.

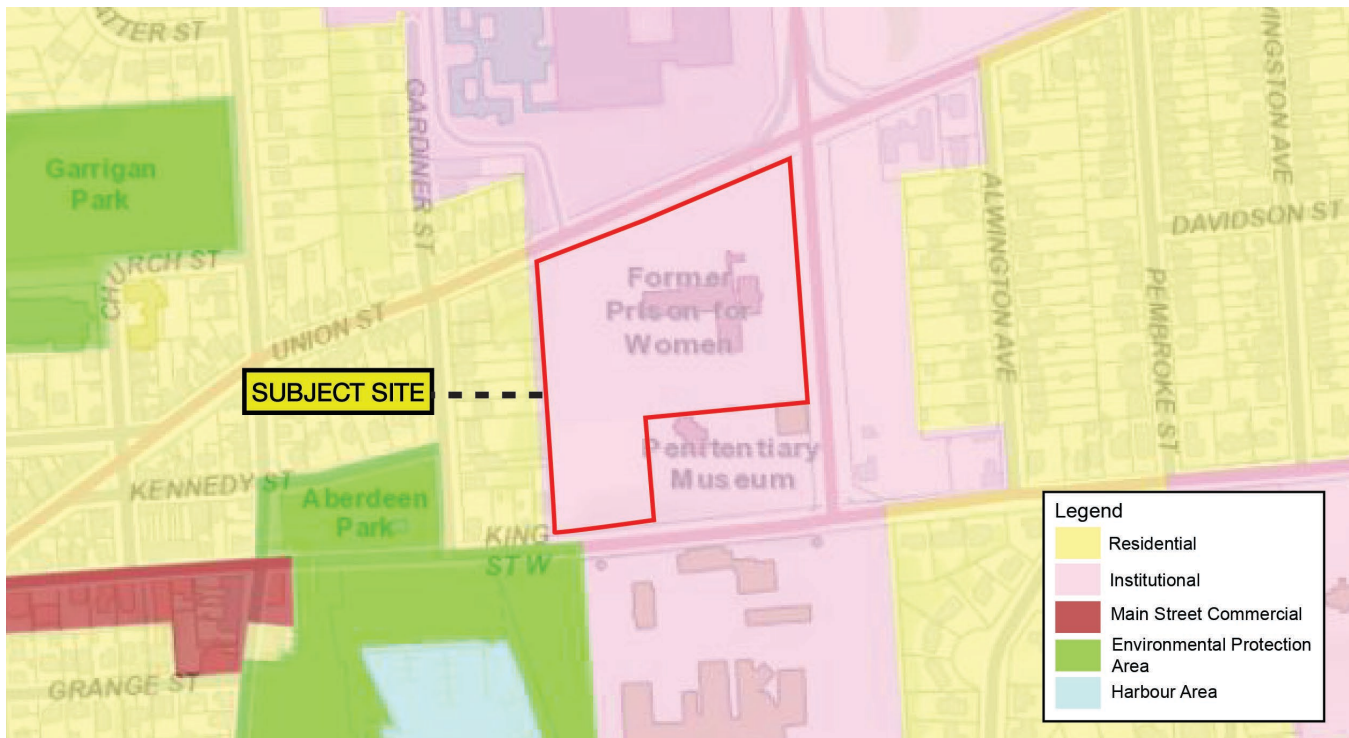


Figure 33: Land Use Designation, Official Plan Schedule 3-A (Source: Kingston K-Maps)

Section 3.3.8 states:

Within the Urban Boundary, intensification through moderate increases in building height or density may be considered at the edge of neighbourhoods, provided that the development is adjacent to one or more of the following: transit routes, community facilities, areas of open space, or mixed use Centres or Corridors, as identified on Schedule 2.

The proposed development represents the adaptive re-use and intensification of an under-utilized site located at the edge of multiple neighbourhoods. The subject site is fully serviced, well-served by multiple transit routes, is in proximity to various parks and open spaces, and new open space and park spaces will be incorporated on Block E. The subject site is appropriately located to accommodate intensification through increases in building height and density.

Section 3.3 provides three classifications for residential density: low density (less than 37.5 units per net hectare), medium density (37.5 to 75 units per net hectare) and high density (75 or more units per net hectare). The proposed development will result in high density. When considering the density of the development currently proposed, it is appropriate to do so without consideration for the area of Block A. Block A is not proposed to be developed at this time and will be subject to a future application for Zoning By-law Amendment to facilitate its development with a residential and commercial uses. When considering the density of the overall development, without including the area of Block A, a residential density of 139.4 dwelling units per net hectare is calculated. Individually, Block B will result in a residential density of 31 dwelling units per net hectare and Block C will result in a residential net density of 225.7 dwelling units per net hectare. Although Block D is currently proposed as a hotel use, the building and units could be re-purposed as residential dwelling units in the future which would result in a residential density of 329.8 dwelling units per net hectare. Although Block B individually falls within the low residential density category, the overall development will be assessed against the high-density residential policies of Section 3.3.C.

Section 3.3 of the Official Plan provides policy direction for residential development. Section 3.3.2 briefly discusses permission for neighbourhood commercial uses within the residential designation.

3.3.2. Where appropriate and compatible, small-scale convenience commercial uses are allowed by zoning within apartment buildings or on a site specific basis on a low or medium density residential site. Section 3.4.F provides detailed policies for neighbourhood commercial uses.

The proposal seeks to incorporate small-scale commercial uses and a hotel use within the proposed development. Generally, commercial uses will be located within the ground floor of residential buildings, including Block C and Block D. Block D proposes a primary hotel use, which may be repurposed as residential should the hotel and tourism industry be slow to recover, with ground floor commercial uses to support residents of the proposed development as well as residents of the surrounding area. Although not proposed to be developed through these planning applications, Block A is intended to incorporate a mixed-use building consisting of residential and commercial uses. The proposed Official Plan and Zoning By-law Amendments will establish the appropriate provisions and policies to guide the establishment of commercial uses on the subject site.

Section 3.3.C provides high density residential development policies. Section 3.3.C.1 states:

High density residential land uses primarily include apartments and mixed use buildings with commercial on the ground floor and a residential density of 75 units per net hectare or more, unless an approved secondary plan establishes other provisions.

The proposed high-density development consists of three buildings, two of which are proposed to be residential and one of which will consist of hotel suites which may be re-purposed as residential dwelling units should the tourism industry be slow to recover. Block B will have a building height of approximately four storeys while Blocks C and D will have building heights of 10 storeys. The proposed development will consist of a total of 358 units including condominium units, retirement units, seniors' apartments, and hotels suites, which may be re-purposed as residential units. Without including the area of Block A, the proposed development will result in a residential density of 139.4 dwelling units per net hectare. The proposed draft plan of subdivision will facilitate the proposed block pattern and ultimately result in densities ranging from 31 to 329.8 dwelling units per net hectare.

3.3.C.2. The density of a residential use is a function of the number of units per net hectare and is not always indicative of built form. Proposals for new high density residential that are not in keeping with the established built form of adjacent development must demonstrate compatibility with regard to both land use and built form considerations in accordance with the policies of Section 2.7 and Section 8.

The proposed development seeks to introduce two, 10-storey buildings to the subject site as well as to rehabilitate the existing approximately four-storey former Prison for Women. The surrounding area consists of a variety of built forms and building heights. Queen's University West Campus is located north of the subject site with similar built forms as those proposed. Low density residential uses are located generally west and east of the subject site and the proposed setbacks, thoughtful building design and materials, along with overall site design will ensure that the proposed development is compatible with the surrounding building forms. The policies of Section 2.7 are revised above, and the policies of Section 8 are revised below.

New high-density residential development must satisfy the locational criteria provided in Section 3.3.C.3:

- a. *The subject property is located:*
 - *within a Centre or Corridor;*
 - *within an area subject to a Secondary Plan or a Specific Policy Area Plan provided such Plan permits high density residential use; or*
 - *on the periphery of a low or medium density residential neighbourhood provided the proposal demonstrates conformity to the policies of Sections 2.6 and 2.7 of this Plan, where applicable;*

The subject site is located on the periphery of a low density residential neighbourhood. The policies of Section 2.7 are reviewed above. As well, it should be noted that the proposed Official Plan Amendment seeks to establish site specific policy area policies for the subject site.

- b. *the property is within walking distance of areas designated for commercial use (i.e., any of the uses within the Commercial Hierarchy except for Neighbourhood Commercial);*

The Official Plan defines walking distance as 600 metres. The subject site is located within walking distance of various commercial uses within the Portsmouth Main Street commercial area, including restaurants and eating establishments and personal services. Although outside of the defined walking distance, it should be noted that the subject site is located within two kilometres of the Kingston Centre and downtown Kingston which offers

additional commercial and personal service commercial uses. The proposed development will also incorporate small-scale commercial uses on site.

c. the property is within walking distance of parkland, open space or community facilities; and

The subject site is located within walking distance of multiple transit stops and routes, open space, parkland and community facilities, including Portsmouth Olympic Harbour, Aberdeen Park, Garrigan Park, Oakridge Park and the Lake Ontario waterfront trail. The proposed development will also incorporate a large area of open space on Block E as a privately owned park that will be available for public use.

d. the property is located on an existing arterial or collector road.

The subject site is located with frontage on Sir John A MacDonald Boulevard and King Street West, which are identified as Arterial Roads, and Union Street, which is identified as a Collector Road on Schedule 4 Transportation of the Official Plan. Therefore, the subject site is an appropriate location for new high-density residential development.

3.3.C.4. Proposals for new high density residential use must be justified by a site specific urban design study that demonstrates compatibility in accordance with the policies of Section 2.7, and conformity to the urban design policies of Section 8. The Study must consider, amongst other matters, architectural compatibility in terms of scale, style, massing and colour.

3.3.C.6. New high density residential development must be designed to ensure a transition in density and built form, particularly along the periphery of Centres and Corridors, and areas for which a Secondary Plan or Specific Policy Area Plan has been established.

An Urban Design and Shadow Study has been prepared by Fotenn Planning + Design to assess the design merits of the proposal exemplifying how the proposed development represents the optimal build out of the site, while reinforcing the intent of the City's urban design policies and directions and the principles of good urban design. The study demonstrates that the proposed development establishes building forms and massing that reflect the historic and gateway context, while transitioning appropriately to adjacent residential neighbourhoods and ensures the design and massing of buildings minimizes shadow impacts on adjacent sensitive uses. The report indicates that the proposed development reinforces a strong public realm through wide, tree-lined boulevards, outdoor amenity spaces, active ground floor uses, and the strategic location of access and servicing facilities to mitigate their impacts. As well, the development maximizes permeability and prioritizes the safe and efficient movement of pedestrians and cyclists through dedicated pathways, mid-block connections, and streets with traffic calming features. The proposal protects and enhances the historic character of the site through the design and location of new buildings, the maintenance of key views, and the retention and adaptive re-use of heritage buildings and features.

3.3.C.7. The zoning by-law will provide high density residential zones with categories for the type of dwelling, height, density, and other standards of significance. In general, low density housing types will not be permitted within high density residential zones.

A Zoning By-law Amendment is being sought to establish four new site-specific zones for the subject site, including three site-specific residential zones to ensure appropriate zoning provisions. An future Zoning By-law Amendment application will be submitted to establish site-specific zone to facilitate the development of Block A.

Section 3.4 provides policies related to commercial uses. The proposed development aims to provide appropriate and compatible commercial uses within the proposed development in the form of a hotel and neighbourhood commercial uses. The proposed Official Plan and Zoning By-law Amendments seek to establish appropriate policies and provisions to support compatible commercial uses within the proposed development.

Section 3.4.3 discusses small-scale uses or neighbourhood commercial uses:

3.4.3. Small-scale, local commercial uses such as a convenience shop, coffee shop, hairdresser or barber may be permitted within Residential designations, and in the zoning by-law in accordance with Sections 3.3.2 and 3.4.F of this Plan, or as an accessory use in other designations. Such small-scale activities are not shown on Schedule 3.

It is proposed to permit small scale commercial uses, such as personal service and restaurant uses within the proposed development. It is also proposed to permit a hotel on Block D. The proposed commercial uses are intended to be accessory and complementary to the residential uses within the proposed development. The

proposed Official Plan and Zoning By-law Amendments will establish appropriate policies and provisions to guide the establishment of commercial uses within the proposed development. Section 3.3.2 has been reviewed above and the policies of Section 3.4.F have been reviewed below.

Section 3.4.F provides additional policy direction for neighbourhood commercial uses:

3.4.F.1. Neighbourhood commercial uses include a limited range of local retail uses or personal services intended to provide convenience goods and services to a limited market. Small take-out restaurants and live-work units are also permitted.

The proposed development seeks to incorporate commercial uses including convenience commercial, restaurant, and personal service commercial uses.

3.4.F.2. The neighbourhood commercial land use is intended to provide smallscale convenience goods and services catering to residents in the immediate area who are generally within walking distance, and for this reason, such uses are not shown on Schedule 3 of this Plan.

The proposed commercial uses will support the needs of residents of the subject site as well as the residential neighbourhoods and dwellings within walking distance of the subject site.

3.4.F.3. Neighbourhood commercial uses are typically small plazas or freestanding establishments. In older areas of the City, neighbourhood commercial uses are also found in mixed-use buildings containing one or more residential units above the commercial floor space. A cluster of neighbourhood commercial uses will include no more than four individual uses on independent sites.

Commercial uses proposed within the development will be located on the ground floor of mixed use residential and commercial buildings. Block D is proposed to be primarily commercial in nature but may be repurposed for residential units should the tourism industry be slow to recover from the pandemic.

3.4.F.4. The number of locations and size of neighbourhood commercial establishments that are permitted will be strictly limited and will be sufficient only for the convenience needs of the local area. Neighbourhood commercial uses are not intended to be used to expand any other Commercial designation of this Plan.

The subject site and surrounding area are not currently commercial designated, and the proposed development will not have the result of expanding any commercial designation of the plan. The proposed Official Plan and Zoning By-law Amendment seek to incorporate permissions for commercial uses on the subject site within the site-specific residential designation and zoning. The proposed provisions will limit the scale and location of commercial uses within the proposed development.

3.4.F.5. Neighbourhood commercial uses will generally be located on the corner of a collector street. The residential amenity of the surrounding neighbourhood will be maintained or enhanced through design, accessibility, limited size of uses, siting of parking or service areas, landscaping, lighting, and access locations. Such matters will be regulated through site plan control review.

The subject site is located with frontage on Sir John A MacDonald Boulevard and King Street West, which are identified as Arterial Roads, and Union Street, which is identified as a Collector Road on Schedule 4 Transportation of the Official Plan. Appropriate facilities including on-site parking, landscaping, access and lighting to support the commercial uses will be provided and regulated through future applications for site plan control.

3.4.F.6. Any proposal for a new neighbourhood commercial use in a Residential designation shall be assessed subject to the following considerations:

- a. the proposed commercial use must demonstrate compatibility with adjacent residential uses as outlined in Section 2.7 of this Plan;*

The policies of Section 2.7 have been reviewed above and it has been determined that the proposed commercial uses will be compatible with adjacent residential uses.

- b. buffering may be required between a proposed neighbourhood commercial use and abutting residential uses;*

The proposed commercial uses will be generally located within the ground floor of proposed buildings or along the Sir John A MacDonald Boulevard and Union Street. These locations ensure that the commercial uses will be buffered from existing residential uses located within the Portsmouth neighbourhood to the west.

- c. advertising and associated signs and exterior lighting must be designed and situated on the site so as to be compatible with adjoining residential uses;*
- d. the placement of all signage must be in accordance with the City's Sign By-law;*
- e. open storage of goods and materials is not permitted;*

Exterior signs and lighting will be designed to be compatible to surrounding residential uses and will be reviewed through future applications for site plan control. No outdoor storage of goods or materials is proposed.

- f. parking is encouraged to be located at the rear or side of buildings;*

Parking will be generally provided underground with some surface parking spaces located in side and rear yards. On-site parking will not occur in the front yard of any building.

- g. the principal entrance must be oriented to the street;*

Pedestrian entrances to commercial uses will be oriented to internal roadways or existing adjacent collector and arterial roadways.

- h. building and site design must complement and contribute to a safe and desirable neighbourhood character; and*

An Urban Design and Shadow Study has been prepared to demonstrate that the proposed overall site design and individual buildings are compatible with the surrounding area and will contribute to safe and desirable neighbourhood character.

- i. a convenient, accessible and appealing streetscape is encouraged between the front of the building and the street curb.*

Large areas of open space, landscaping, pedestrian pathways, sidewalks and street furniture will facilitate an accessible and appealing streetscape.

3.4.F.7. Where an outdoor patio is proposed as an accessory use to a neighbourhood commercial use, the City may impose restrictions on the hours of operation in order to minimize any land use compatibility matters with abutting sensitive uses.

Should outdoor patios be proposed to support the proposed commercial uses, necessary guidelines will be followed.

3.4.F.8. Where a new neighbourhood commercial use is proposed, the proponent may be required to prepare a limited or scoped market justification study and impact assessment for Council's consideration that:

- a. describes the proposed use, proposed floor area, parking and site plan arrangement;*
- b. sets out the market area and population proposed to be served; and,*
- c. includes an inventory of all commercial uses within, and close to, the proposed market area, including their uses and floor area.*

A Market Justification Report is not required for the proposed neighbourhood commercial uses as less than 5,000 square metres of neighbourhood commercial area is proposed within the development. A Market Justification Study will be completed to determine the feasibility of the proposed hotel.

3.4.F.9. The size and range of neighbourhood commercial uses may be further regulated by the zoning by-law.

The proposed Zoning By-law Amendment will establish appropriate regulations and provisions for the proposed commercial uses.

The proposed development and Official Plan Amendment conform to the policies of Section 3 of the City's Official Plan.

Section 4: Infrastructure & Transportation

Section 4 of the Official Plan provides policy direction associated with infrastructure and transportation systems in the City. Section 4.1 provides general policies associated with infrastructure and transportation:

4.1.1. New development will proceed only if the City is satisfied that adequate services, roads, and utilities are available, or can be made available, to serve the proposal adequately. In determining the adequacy of servicing, utility systems, or the transportation system, the City will consider not only the proposal, but also the potential for development that exists in the same service area.

The Servicing and Stormwater Management Report and the Traffic Impact Study prepared in support of the applications demonstrate that adequate municipal servicing infrastructure and capacity to support the proposed development, subject to minor upgrades, as well as the existing road network and proposed signalized intersection access to the site will have sufficient capacity to support the proposed development.

Section 4.2 provides policies related to municipal water and sewage. The proposed development is located within the City's Urban Boundary and will be serviced by municipal water and sewage services. A Servicing Report has been prepared which confirms that adequate municipal capacity is available to service the proposed development.

Section 4.3 provides policies related to stormwater management. A Stormwater Management Report has been prepared for the proposed development which indicates that appropriate stormwater management techniques can occur on the subject site. Detailed measures will be determined and implemented through the final plan of subdivision process.

Section 4.6 provides policies related to transportation systems and seeks to provide for the safe, efficient, and convenient movement of people and goods throughout the City, and between the City and more distant destinations. The following policies relate specifically to facilitating active transportation within the City:

4.6.3. The reconstruction of existing roads and the construction of new roads within settlement areas are to include safe, convenient and accessible pedestrian facilities, such as sidewalks, corner ramps, pedestrian signals and crosswalks of universal design. The enhancement of roadways, sidewalks, sidewalk safety barriers, and transit facilities to maximize mobility and access for all will be required in all construction and reconstruction projects.

The proposed development will incorporate three separate vehicular entrances, two from Sir John A MacDonald Boulevard and one from Union Street. The entrances will support the proposed internal roadways which will provide connection throughout the subject site. Sidewalks and pedestrian pathways will be provided throughout the subject site and around the perimeter to support pedestrian movement.

4.6.5. Sidewalks and active transportation pathways must be designed to provide direct access from the interior of neighbourhoods to transit locations, and to connect commercial properties in order to encourage active transportation.

The proposed development includes pedestrian sidewalks, walkways and crosswalks into and throughout the site that will be developed in accordance with universal design principles. Improved pedestrian crossings on Union Street, Sir John A MacDonald Boulevard and King Street West are anticipated as a result of this development.

4.6.6. The City supports the development of convenient, accessible and appealing streetscapes through such measures as providing wide sidewalks, street furniture, trees and amenities, including convenient transit stops.

The proposed development will be accessible to all residents and visitors to Kingston and will create a safe and appealing streetscape. Sidewalks will be introduced along the southern portion of Union Street abutting the subject site as well as an enhanced transit stop and waiting area. Street furniture, landscaping and amenities will be provided both throughout the subject site along internal pathways as well as around the perimeter of the subject site.

4.6.7. The City supports the location of street front retail and personal service shops adjacent to the sidewalk in commercial areas.

The proposed development provides at-grade commercial uses with frontage on Union Street and Sir John A MacDonald Boulevard. Both streets will have sidewalks to support pedestrian movement to and within the subject site.

4.6.8. Improving connections between schools, recreational facilities, shopping areas, and Employment Areas is promoted.

The proposed development will incorporate internal pedestrian pathways as well as introduce new sidewalks within the adjacent municipal rights-of-way to support connections between schools, open spaces, recreational facilities, commercial and employment uses in proximity to the subject site.

4.6.47. It is the intention of this Plan to encourage a balance between providing sufficient parking to address existing or future requirements, and not oversupplying parking to the detriment of public transit usage or active transportation.

The proposed development seeks to provide a reduced parking supply on each block. A Transportation Impact and Parking Study has been prepared which assessed the proposed uses and parking supply necessary to support the uses and users, while not providing excessive unnecessary parking spaces. The proposed parking strikes a balance between providing necessary parking while also relying on means of movement by transit and active transportation.

The proposed development and Official Plan Amendment conform to the policies of Section 4 of the City's Official Plan.

Section 5: Protection of Health and Safety

The purpose of Section 5 is to ensure that natural and human-made hazards are considered and protected against as part of the development process. The policies of this section seek to ensure that adequate separation exists to protect sensitive uses from sources of pollution. Policies include minimum separation distances from mines, landfills, aggregate extraction, and livestock facilities, as well as remediation of brownfield sites and setbacks from floodplains and erosions hazards. Phase I and II Environmental Site Assessments were conducted by XCG Consulting Limited which indicate there is no groundwater remediation necessary on the subject site and there are no expected concerns of contaminated run-off from the subject site to surrounding lands. As well, no noxious uses are proposed as part of this redevelopment and no uses are proposed that would introduce new hazards or sources of pollution.

The proposed development and Official Plan Amendment conform to the policies of Section 5 of the City's Official Plan.

Section 6: The Environment and Energy

Section 6 provides policies for the protection and maintenance of ecological features and functions. This section also describes policies for energy conservation and protection, including the promotion of landscaped open spaces and tree planting to moderate summer and winter micro-climate conditions. The subject site is not located in proximity to any identified natural heritage features identified on Schedule 7-A Natural Heritage Area 'A' of the Official Plan or Schedule 7-B Natural Heritage 'B' of the Official Plan, therefore no impacts are anticipated to the natural environment as a result of the proposed development.

Section 6.2 provides policy direction related to energy conservation and production with the goal *"To minimize greenhouse gas emissions and to be a leader in energy conservation, energy efficiency, and sustainable energy production, with a strong focus on the development of renewable energy systems that are appropriate in type and scale, and that minimize impacts on the natural environment and surrounding land uses."* The proposed development of Union Park seeks to integrate design techniques, building materials, and energy systems which promote sustainable and environmentally conscious methods.

6.2.1. The City promotes the design and orientation of development that:

- a. maximizes passive solar energy gain and minimizes energy loss from prevailing winds;*
- b. incorporates innovative building materials that helps development reduce its ecological footprint;*
- c. explores opportunities for renewable energy systems on a site-specific or district-wide basis;*
- d. is considered either low carbon or carbon neutral;*
- e. enhances the feasibility of district energy;*

- f. *enhances the feasibility of non-automotive transportation including active transportation; and,*
- g. *at the district scale, attempts to achieve climate positive development.*

Through future detailed design work associated with each building, environmentally conscious and considerate building and design methods will be integrated.

6.2.2. *The City promotes landscaping and tree planting programs that help to moderate summer and winter micro-climatic conditions.*

The proposed development will incorporate large areas of open space and landscaping which will assist in moderating micro-climate conditions. Extensive landscaping and vegetation will be established on site to support the use of the subject site.

6.2.8. *The City encourages the retrofitting of existing residential and commercial building stock through consideration of incentives, planning and financial instruments that it may choose to implement and the City supports partnerships with utilities and other levels of governments to that end.*

The proposed development will result in the rehabilitation and retrofitting of the former Prison for Women building located on proposed Block B, which is currently vacant and functionally obsolete. Although a portion of the building will be reconstructed for heritage purposes, the majority of the building, including the Administration Wing and Cell Block will be retained and retrofitted with residential uses.

6.2.10. *The City promotes the inclusion of charging stations for electric vehicles as part of the development or redevelopment of a site.*

The proposed development will provide electric vehicle parking stations within surface and underground parking stations as well as dedicated car share parking spaces.

The proposed development and Official Plan Amendment conform to the policies of Section 6 of the City's Official Plan.

Section 7: Cultural Heritage and Archaeology

Section 7 of the Official Plan outlines policies "*to conserve and enhance recognized cultural heritage resources within the City so that they may be experienced and appreciated by both residents and visitors, and retained in an appropriate manner and setting, as a valued public trust held for future generations*" (Section 7.1). The subject site is designated under Part IV of the *Ontario Heritage Act*, the Prison for Women has status as a 'Recognized' federal heritage building, resulting from a 1989 Federal Heritage Building Review building report, and the West Yard portion of the property is part of the Kingston Penitentiary National Historic Site of Canada. A Heritage Conservation Strategy has been submitted in support of the proposed development.

Section 7.1 provides policy direction for built heritage resources in the City of Kingston. This section indicates that the City has numerous built heritage resources that include significant buildings, structures, monuments and heritage conservation districts valued for the important contribution they make to understanding the City's history, events and people.

7.1.6. *The City will protect and conserve built heritage resources in accordance with the best available cultural resource management protocols and Charters including, but not limited to, the following:*

- a. *UNESCO and International Council on Monuments and Sites (ICOMOS) Conventions and Charters;*
- b. *the Standards and Guidelines for the Conservation of Historic Places in Canada, as amended from time to time; and,*
- c. *the Ontario Ministry of Tourism, Culture and Sport's eight guiding principles in the conservation of built heritage properties.*

A Heritage Conservation Strategy was prepared in support of the proposed development to provide heritage guidelines to be followed for development of the site and to assess the proposed development against the recommended guidelines. Through the recommendation guidelines, the proposed development will conserve the heritage features of the subject site, including the rehabilitated Prison for Women, and is not anticipated to have any negative impacts on the surrounding cultural heritage features.

Section 7.3 provides policy direction for cultural heritage landscapes. The southern portion of the subject site with frontage on **King Street West** is located within the City of Kingston's Heritage Corridor Area as identified on Schedule 9 Heritage Areas, Features and Protected Views of the Official Plan.

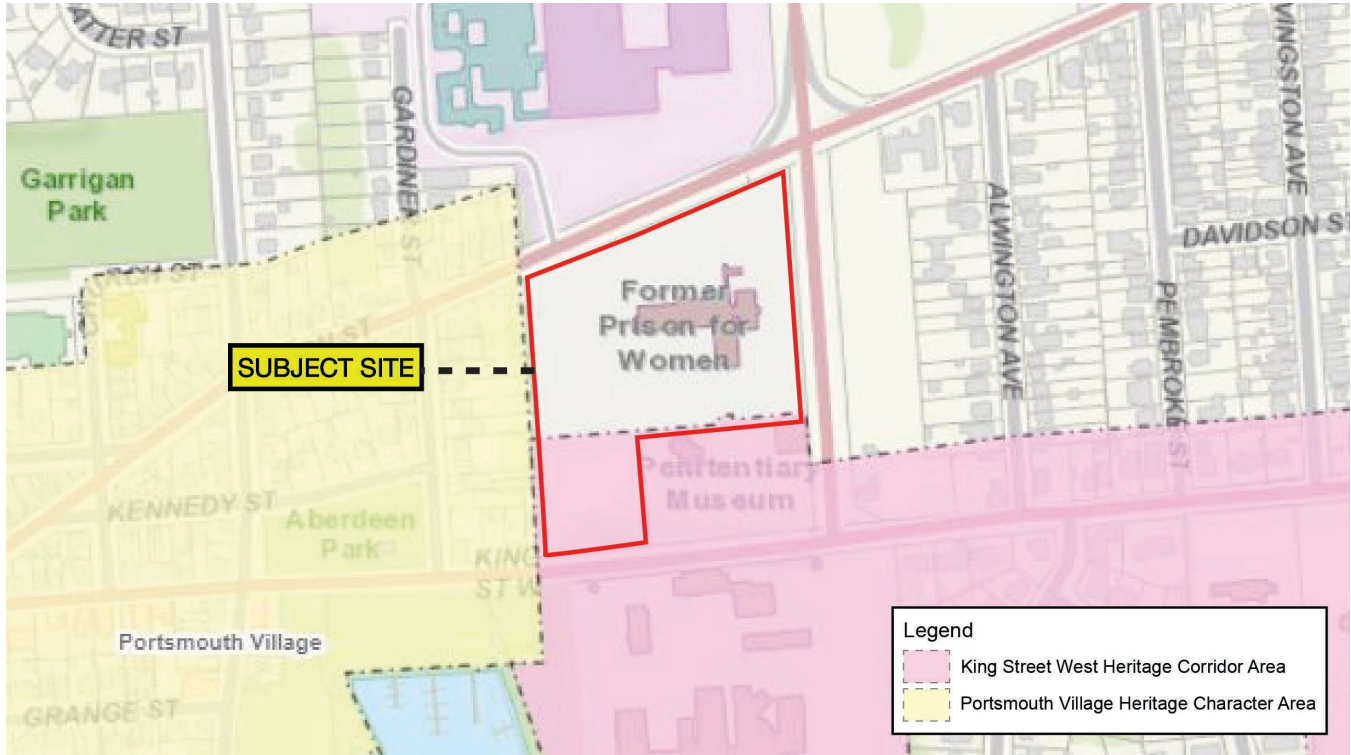


Figure 34: Schedule 9 Heritage Areas, Features and Protected Views (Source: Kingston K-Maps)

Section 7.3.D.2 contains applicable policies for this area, which is identified as the King Street West Heritage Character Area:

7.3.D.2 The King Street West Heritage Character Area, shown on Schedule 9, is a scenic corridor linkage between the Old Sydenham Heritage Conservation District (Barrie Street) and Portsmouth Village Heritage Character Area. Its cultural heritage value includes the entry to the former Vice-Regal residence at Alwington Place, a number of protected heritage properties, including the Tett Centre for Creativity and Learning, St. Helen's, Stone Gables and Kingston Penitentiary, as well as an important cultural heritage streetscape marked by mature trees, wide boulevards and views of the water. Planning for the roadway and first tier of lots abutting the roadway requires:

- a. maintaining the arterial road function of King Street West in the context of preserving and enhancing the heritage corridor and the serial visual experiences that occur along its length;*

Block E is located within the within the Heritage Corridor Area as identified on Schedule 9 Heritage Areas, Features and Protected Views of the Official Plan. Block E of the proposed development consists of the West Yard Park and connecting pathways, which is intended to be maintained as a landscaped park area within the development that will be available for public use. No buildings, structures or vehicular entrances will be added to this area of the subject site. The proposed development is not anticipated to affect the arterial road function of King Street West.

- b. analyzing the traffic impacts that may affect the heritage character of the Area;*

No new vehicular entrances or exits will be added to Block E, therefore no traffic impacts are anticipated to King Street West.

- c. undertaking a coordinated approach with respect to any streetscape or public infrastructure improvements within the Area;*

Along the south property line, the pedestrian entrance at King Street West will be restored to allow the public access to the West Yard. A series of gentle steps with regular landings and two seating areas will provide opportunities to stop and rest along the route, improving the streetscape and access to Block E of the proposed development.

- d. maintaining the public walkways, Waterfront Pathway and the Lake Ontario Waterfront Trail to encourage active transportation and public use of the Area;*

The proposed development will not impact the public walkways, Waterfront Pathway or Lake Ontario Waterfront Trail. Active transportation will be encouraged through the integration of new pedestrian walkways and sidewalks throughout the proposed development and Block E.

- e. designing and siting development of private landholdings in a manner that is compatible with the cultural heritage value and heritage attributes of the Area; and,*

No buildings are proposed on Block E, however the remainder of the subject site will be developed with residential, open space and commercial uses. The design of the development has been thoughtfully considered to ensure compatibility and protection of cultural heritage values and attributes in proximity to and adjacent to the subject site.

- f. preserving and supplementing mature tree cover wherever possible through a program of tree replacement.*

A master and detailed landscape plan has been prepared for Block E to ensure appropriate landscaping and vegetation is provided to support the use of the site as well as compatibility with surrounding heritage features.

Section 7.4 outlines policies related to archaeological conservation.

7.4.11. The City will encourage the conservation of archaeological resources as may be identified by the City, the Province or other group or agency, and will continue to enforce municipal and provincial legislation with respect to the discovery of items of archaeological or historic interest on a property.

A Stage 4 Archaeological Assessment was prepared for the subject site which included excavations that located the remnants of a brick root cellar used during early occupation of the Warden's Residence, dating back to the 19th century, in the West Yard of the subject site. Multiple sources and layers of fill were discovered during excavation, dating from periods of demolition and other interference on the site. In the various layers of fill, 820 artifacts were uncovered, including animal bones, ironstone china, clay pottery proposed to be from the 1950s during the last use of the root cellar, and wrought iron. Upon completion of the Stage 4 Assessment, it was concluded there are no further archaeological concerns on the site. However, the Stage 3 Assessment was limited to the areas north of and including the West Yard's northern property line, as there is an existing Restrictive Covenant that prohibits any buildings within the area south of the West Yard line. A Stage 3 Archaeological Assessment will be undertaken for this area to allow site disturbance for necessary stormwater management. The Stage 4 Archaeological Assessment has been submitted to the Ministry of Heritage, Sport, Tourism, and Culture Industries and review and entry into the Ontario Public Register of Archaeological Report is forthcoming.

Section 7.6 discusses the importance of Public Art in the City of Kingston, "*Public art can provide a narrative to help residents and visitors understand the history of Kingston. It can be located in public spaces, such as a street corner or park or integrated into a building façade, a streetscape or a new landscaping feature.*"

Section 7.6.5 provides policy direction for public art incorporated in private development:

7.6.5. The City will encourage the inclusion of public art in all major private sector development across the City using applicable planning tools and processes and in accordance with the policies of Sections 9.5.25 and 9.8 of this Plan. Private sector developers are encouraged to follow the best practices established by the City for the acquisition and selection of public art. The City will provide guidance in the application of these practices.

The concept plan identifies locations within the proposed development where public art is proposed to be incorporated, such as against the northern wall of the Heating Plant and a portion of the interior side of the West

Yard Wall. The incorporation of public art, in conjunction with the memorial gardens and dedications to the former prison and naval service, will serve as place-making attributes for residents, visitors, and artists alike.

The proposed development and Official Plan Amendment conform to the policies of Section 7 of the City's Official Plan.

Section 8: Urban Design

Section 8 describes the City of Kingston urban design policies, which includes design recommendations to encourage compatibility in existing developed areas and compact mixed-use land use patterns in newly developing areas. The goal of this section is to provide a framework for providing and maintaining a safe, efficient, accessible, and harmonious environment. The role of the built and natural environments is recognized as aspects that contribute to an area's sense of place and community significance.

Section 8.4 provides policies related to the accessibility and safety of buildings:

- a. providing for age-friendly needs and the requirements of people with disabilities, and others requiring access supports through improved amenities such as parking, benches, and washrooms, clear signage, visual or auditory indicators, and other means as appropriate;*

The proposed development includes a seniors' housing continuum of care on Block C which will support age-friendly needs of residents. The development will incorporate barrier free residential units, barrier free parking, and accessible exterior landscaped open space. The site will include appropriately designed street furniture to aid in comfort and safety for residents and visitors of the site.

- b. improving public security through enhanced lighting, visibility of public areas, provision of entrance locations in well-traveled areas, and ease of access for emergency personnel or vehicles;*

Site and building entrances will be clearly defined and within well travelled areas. Lighting will be provided along the exterior of each building as well as within each of the surface parking areas.

- c. clearly defining building entrances and avoiding designs that would create areas that are hidden from public view and thus potentially available for criminal activity;*

Each building will have a well-defined building entrance. Each entrance will be located in proximity to both surface parking and pedestrian access areas, will be within pedestrian view, and will be well lit.

- d. arranging public uses and amenities within a convenient walking distance;*

Each proposed building will have an exterior common amenity area adjacent to the building along with landscaped open space. Additional common interior amenity areas will be provided with convenient resident access within each building.

- e. providing adequate walkway widths, visually permeable materials and structures, and landscaping elements that do not obstruct sightlines in the design of streetscapes, transportation facilities, or public buildings and places; and,*

Well delineated and unobstructed pedestrian pathways are proposed throughout the subject site providing connection from road frontages and between buildings. Proposed landscaping will not impact sightlines of the streetscape, parking areas or buildings.

- f. promoting safe environments by applying Crime Prevention Through Environmental Design (CPTED) concepts and principles in the design of buildings, site layout and landscaping of development sites.*

The proposal will incorporate the principles of CPTED, including natural surveillance, natural access control and territorial reinforcement which will ensure the security of the development.

Section 8.5 provides policies for new developments regarding streetscapes and public spaces:

- a. preserving human scale in locations that are pedestrian-oriented and establishing an appropriate street wall height by controlling building heights through an implementing zoning by-law, requiring*

building step-backs, having entrances at street level, providing street furniture, and other means as appropriate;

The proposed development will provide taller building heights with podium heights ranging from one to four storeys along Union Street and Sir John A MacDonald Boulevard. The podium of the proposed buildings helps create a streetwall along the street frontages extending along internal roadways. The intent at-grade is to reinforce a pedestrian-scale and to reduce the massing of the proposed buildings from the street and internal circulation corridors. Commercial uses, entryways, patios, and lobbies will also be provided at-grade to help define the ground floor and encourage activity. Street furniture will be provided along Union Street and Sir John A MacDonald Boulevard to ensure the buildings and overall site are pedestrian oriented. As well, accentuated key corners and entrances of each building will help establish key focal points, and prioritize pedestrian safety and amenity over vehicular loading, servicing, and access.

b. providing shade through natural or built means to provide comfortable outdoor environments and provide protection from ultraviolet radiation;

A landscaping plan has been prepared for the proposed development which will incorporate additional vegetation and trees throughout the subject site and along the street frontages.

c. protecting views to the water, City Hall and other significant buildings or landscapes;

Heritage views have been identified through the Heritage Conservation Report. The proposed site and individual buildings have been designed to ensure that significant heritage views are retained, protected, and in some instances enhances through the subject site and from within the subject site. Views of Lake Ontario, the West Yard, the Correctional Service of Canada Museum, and the former Prison for Women will be protected through the proposed development.

d. siting new buildings and structures in a manner that repeats and complements the siting and spacing of existing buildings, structures or landscaped areas in order to continue a pattern that is characteristic of surrounding neighbourhoods and heritage areas;

The site design of the proposed development has been thoughtfully considered to ensure compatibility with surrounding uses, cultural heritage resources, and cultural heritage landscapes. Recommendations of the Heritage Conversation Strategy have guided the design of the proposed development to ensure heritage features on the subject site and within the surrounding area are protected, increased building separations are provided, and large landscaped area are integrated to ensure compatibility with surrounding residential, open space and institutional uses.

e. the strategic use of building separation, landscaping and buffers to mitigate inharmonious elements of the built or natural environment, such as railways, service areas, or incompatible uses;

The subject site is not adjacent to any railways, service areas or incompatible uses and therefore the proposed development does not require mitigation measures.

f. designing public spaces or requiring the design of common spaces in private projects to have a clear sense of definition, and provide sufficient amenity, accessibility and security to encourage public use and linkage to other public areas;

Common interior and exterior and private exterior amenity spaces will be provided throughout the site and clearly marked. Each building will provide barrier free parking spaces as well as barrier free residential units and will comply with AODA requirements. The proposal will also incorporate the principles of CPTED, including natural surveillance, natural access control and territorial reinforcement which will ensure the security of the development.

g. preserving and enhancing the context of special buildings, streetscapes, landscapes and sites that have been identified as having architectural, or cultural heritage value or interest; and,

The subject site is designated under Part IV of the *Ontario Heritage Act*, the former Prison for Women has status as a 'Recognized' federal heritage building, resulting from a 1989 Federal Heritage Building Review building report and the 'West Yard' portion of the property is part of the Kingston Penitentiary National Historic Site of Canada. The proposed development will rehabilitate the former Prison for Women and introduce residential uses, the West Yard will be retained and enhanced, and identified heritage views will be protected through the proposed development.

- h. encouraging innovative methods to minimize the visual impact of utility features, either by containing utility features within streetscape elements or by screening them from view.*

Exterior switches and transformers will be provided for each block. In some cases these items will be pole mounted particularly along Union Street. Where possible, they will be located and screened with landscaping to reduce visual impacts.

Section 8.6 outlines policies that must be addressed by new development:

- a. siting, scale and design of new development in relation to the characteristics of the surrounding neighbourhood or the significant cultural heritage resources including, scale, massing, setbacks, access, landscaped treatment, building materials, exterior design elements or features;*
- b. protecting natural heritage features and areas and cultural heritage landscapes through the siting, design and review of new development;*

The use of high-quality building materials, thoughtful building siting and façade treatments that are sympathetic to the on-site building heritage resources and surrounding context will ensure the proposed development is aesthetically pleasing and compatible with the broader neighbourhood. Recommendations of the Heritage Conservation Strategy have guided the overall site design to ensure cultural heritage features and landscapes are protected. As a result of the proposed building layout, building massing will be spread out and impacts reduced. Additional landscaping, including within the West Yard, will be provided throughout the subject site to improve and support the overall site design.

- c. promoting innovation in building design to create an interesting and varied built environment, to increase sustainability by improving energy efficiency, and to deliver barrier-free accessibility;*

The proposed building design and materials will promote innovation and interest in the streetscape along Site John A MacDonald and Union Street. Rehabilitation of the former Prison for Women will increase the development's sustainability through adaptive reuse of an existing building for residential purposes. Through future detailed design work, energy efficiency of each building will be closely examined. Barrier free residential units will be incorporated, and overall, the buildings will comply with AODA standards to deliver barrier-free accessibility.

- d. achieving compatibility in land use and with a predominant architectural style, street pattern or site arrangement where that style or arrangement forms a valuable component of the existing neighbourhood or the cultural heritage value or interest of the identified area. Section 2.7 provides additional policy in this regard; and,*

Land uses surrounding the subject site are generally residential, open space and institutional. Low rise residential uses and taller institutional buildings are located in proximity to the site. The proposed development will incorporate taller building heights and residential, commercial and open space uses that will be compatible with the surrounding uses. The development has been arranged to disperse building massing, density and scale throughout the subject site, rather than to concentrate within a single area. High quality building materials will ensure interest in the development and streetscape. The policies of Section 2.7 have been reviewed above.

- e. encourage spaces, services and facilities that highlight arts and culture in a manner that generates and sustains cultural vitality.*

The proposed development will incorporate public murals and a Memorial Garden to further foster a sense of community and to achieve a sense of place.

Schedule 9 Heritage Areas, Features and Protected Views of the City's Official Plan identifies a Protected View from Sir John A MacDonald Boulevard south of the subject site to the waterfront. Section 8.8 of the Official Plan provides policy direction for protected views:

8.8 Protected views identified on Schedule 9 on streets that terminate at the water must be preserved by:

- a. restricting or not allowing development of buildings and structures that would interrupt sightlines;*
- b. requiring that the siting, massing and design of buildings and structures in areas adjacent to protected views maintain the views;*

- c. *encouraging the development of facilities, amenities, signage and design themes at locations where the Waterfront Pathway or the Lake Ontario Waterfront Trail meets the protected views, which will enhance the use of this area and appreciation of the view; and,*
- d. *ensuring that any installation of structures or facilities in public open space areas adjacent to the protected views complements the view.*

A Heritage Conservation Strategy has been prepared which identified additional heritage views, not identified on Schedule 9 of the City's Official Plan. Additionally, the Strategy provided guidelines through which the site was designed. These guidelines, related to building setbacks from street frontages, building separations, podium heights, and integration of maximum landscaped open space, have ensured that the proposed development will not interrupt or impact the heritage views through the subject site to Lake Ontario and the former Prison for Women or from the site to Lake Ontario. Block E will be retained undeveloped to provide a pedestrian connection through the subject site to King Street West, the Waterfront Pathway and the Lake Ontario Waterfront Trail.

Section 8.10 of the Official Plan provides policies regarding new multiple building development projects, as is proposed on the subject site.

8.10. New multiple building development projects involve a number of separate buildings being built either at one time or in phases on an initial single landholding. It is the intent of Council to review multiple building projects in accordance with the following policies:

- a. *in support of any development application, and as part of any site plan control application, the proponent of a multiple building development project must prepare an overall plan for the total project showing such features as:*
 - *building footprints and configurations;*
 - *parking areas and structures for vehicles and bicycles for each building;*
 - *lands devoted exclusively to each building, and where applicable, the location of affordable units in accordance with Section 3.3.10 of this Plan;*
 - *vehicle, cyclist and pedestrian access to the project and to each building;*
 - *amenity areas for each building, and associated lighting;*
 - *public open space areas and access where required;*
 - *stormwater management schemes;*
 - *site servicing details;*
 - *internal vehicular and active transportation movement;*
 - *landscaping details, buffering and screening in terms of a multilevel design proposal;*
 - *any proposed phasing for the project in order of sequence; and,*
 - *any intended future proposals for land division;*

A concept plan for the proposed development has been prepared and submitted in support of this application, which provides details related to building footprints and locations, vehicular accesses, vehicle and bicycle parking, amenity areas, landscaping and open space areas. Applications for site plan control will be required to proceed with future development and additional site plan details will be provided through the Site Plan Control process.

- b. *in projects where the phasing of buildings is planned in conjunction with the dedication of public parklands, or the dedication of a public road, Council may require that development proceed by way of a plan of subdivision to ensure permanent universally designed longterm public access to public parklands, access to each building site, appropriate construction of a public road, and the availability of full services at each phase of the phasing program;*

The proposed development includes an application for a plan of subdivision, however the proposed development will not result in parkland or roads dedicated to the City. Proposed parkland will be retained in private ownership.

- c. *the design of individual buildings within multiple building projects are to be coordinated and mutually compatible;*

An extensive design exercise has occurred which has considered the design of each individual building as well as the overall site design. The proposed building designs have been coordinated and will result in mutually compatible buildings.

- d. *residential multiple building projects are encouraged, where feasible, to incorporate a variety of compatible residential building types such as street row housing, townhousing, stacked*

townhousing, maisonnettes, quadruplexes and various apartment building types in a comprehensive plan;

The proposed development seeks to rehabilitate the existing four storey former Prison for Women on Block B, incorporate a 10-storey building of Block C consisting of a two-storey link and two 8-storey towers, as well as incorporate a 10-storey building with a four-storey podium on Block D. Although not proposed to be developed through these applications, Block A is anticipated to consist of a taller building with a three to four storey podium. The proposal seeks to comprehensively develop the subject site with the above noted built forms.

- e. the maximum permissible density for any residential multiple building project may be calculated comprehensively for the project as a whole, exclusive of lands required for roads, parks, or other public purposes;*

The proposed application for Zoning By-law Amendment seeks to rezone each of the future building parcels separately, therefore, density was calculated for each site separately and will be established for each proposed block.

- f. in residential projects where some form of individual dwelling unit ownership is anticipated for all or a portion of the project, each separate building and land parcel must have frontage on an assumed road and be designed to stand ultimately as an independent project. A plan of condominium may provide frontage on a private road provided the lands making up a plan of condominium have frontage on an assumed road;*

The future proposed lot fabric has been shown on the concept plan and the draft plan of subdivision. Each future proposed lot will have road frontage. A future application for draft plan of condominium will be necessary to establish the common elements to be shared by all blocks.

- g. the design of residential multiple building projects must be coordinated in terms of individual resident privacy, residential unit views, solar access, amenity area access and use, and private and public vehicular and active transportation access and movement;*

The overall site layout and large separation between buildings will ensure resident privacy, residential unit views are provided, and solar access is provided. Separate exterior amenities areas have been provided for each building. As well, vehicular entrances will be provided for each building along with separate individual underground parking garage access, on-site surface parking areas, bicycle parking areas, and building entrances. Delineated pedestrian pathways have been provided throughout the subject site to ensure safe pedestrian connection is provided from public roadways to each of the buildings.

- h. where it is clearly demonstrated by the proponent that the development is in the long-term interests of the residents of a residential multiple building project, a ground floor convenience commercial outlet serving the day to day needs of nearby residents, and located within the main walls of one of the residential buildings, may be permitted without amendment to this Plan; and,*

Block C, Block D, and the future development of Block A are anticipated to include ground floor neighbourhood commercial uses, available to residents and visitors of the site.

- i. Council must be satisfied prior to any approval that any residential multiple building project will serve the long-term housing and daily needs of the intended residents, and provide a safe, healthy, accessible and convenient living environment.*

The proposed development seeks to incorporate residential, including senior apartments and retirement suites, commercial uses and open space areas to serve the long-term housing and daily needs of residents. The development will ensure a safe, healthy, accessible, and convenient living environment.

Section 8.11 of the Official Plan identifies Sir John A Macdonald Boulevard is a principal entrance to the City for vehicular traffic from Highway 401 and therefore is considered to be a "gateway to the City". Site design along the "gateway" roads listed in 8.11 shall satisfy the following objectives:

- a. buildings are oriented to enhance the relationship of the buildings to the road;*

The proposed development will provide new buildings which will be oriented towards Sir John A MacDonald Boulevard. The future development of Block A, the proposed rehabilitation of the former Prison for Women on Block B and the development of a 10-storey building on Block D will improve the streetscape of Sir John A MacDonald Boulevard and improve the relationship with the street.

- b. vehicular parking, except for visitor parking and parking for people with a disability, are provided on the sides and rear of the buildings;*
- c. joint access or shared driveways are required, in conjunction with parking to the side and rear of buildings, in order to make the area available at the front of buildings for landscaping;*

Vehicular parking will be provided internal to the subject site and will be mostly screened from view from each of the surrounding arterial and collector roads, with the majority of parking located underground or located to the side or rear of buildings. Two vehicular entrances which will be shared between Blocks A, B and D will be provided from Sir John A MacDonald Boulevard to provide access to on-site parking and allow for open space and landscaping features at the front of the proposed buildings.

- d. service areas, including loading, garbage and storage areas, are not exposed to the roads. Where this is not practical, such areas should be screened from public view by appropriate landscaping and/or fencing;*
- e. screening for outdoor storage areas is integrated with the building; and,*
- f. landscaping on the site is planned to ensure a continuous landscaped area between the buildings and the road.*

Loading and service areas will be located to the side or rear of buildings, screened from the view of the roadway. No outdoor storage is proposed as part of the development. Landscape and open space areas will be provided at the front of buildings adjacent to the roadway as well as in the rear and side yard to ensure an attractive streetscape and site design for residents and visitors.

The proposed development and Official Plan Amendment conform to the policies of Section 8 of the City's Official Plan.

Section 9: Administration & Implementation

The purpose of Section 9 is to detail the policies for administering and implementing the Official Plan. An Official Plan Amendment is proposed to re-designate the subject site from Major Institution to Housing District on Schedule 2 City Structure and it is proposed to re-designate the subject site from Institutional to Residential and a site-specific policy area on Schedule 3-A Land Use and Schedule 3-D Site Specific Policies of the City's Official Plan. Section 9.3.2 provides the criteria for which Official Plan Amendments are considered:

9.3.2. Every application for amendment to this Plan will be evaluated on the basis of the following general considerations and any others that are pertinent to the particular application:

- a. the conformity of the proposed amendment to the general intent and philosophy of this Plan, particularly the vision and planning principles, including sustainability, stability and compatibility outlined in Section 2, and consistency with provincial policy;*

The proposed development and Official Plan Amendment are consistent with the general intent of the Official Plan. Currently the subject lands are designated Major Institution on Schedule 2 and Institutional on Schedule 3-A of the Official Plan. Although previously in Federal Government and subsequently Queen's University ownership, the subject site is now privately owned. The land use designation of the subject site is no longer appropriate to allow the proposed development of the site. Amending the land use designation of the subject lands to Residential and a site-specific policy area is necessary to allow the subject site to be redeveloped as proposed. A site-specific policy area is proposed for the subject site in order to establish appropriate development policies for the subject site, related to parking, building separation, building design, landscape requirements, and heritage view protections. The proposed changes to the site's designation will allow the appropriate redevelopment of an underutilized brownfield parcel of land within the City's urban boundary in proximity to services, schools, open space, Kingston Transit, and commercial uses. The proposed redevelopment meets the planning principles regarding sustainability, stability and compatibility and is consistent with provincial policy.

- b. the availability and suitability of land already designated for the proposed use, and the need for (or market feasibility of) the proposed use;*

The subject lands are designated Major Institution on Schedule 2 and Institutional on Schedule 3-A of the Official Plan. The subject site was previously owned and operated by the Federal Government, was later sold to Queen's University and has since been sold and is now held in private ownership. As a result, the current land designation is not appropriate to allow the development of the subject site. The subject is appropriately located at multiple intersections of arterial and collector roads, includes extensive value which will be conserved, and is located in

proximity to Lake Ontario and residential, commercial, institutional and open space uses. The proposed development is appropriately located within the City.

- c. the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses, including cultural heritage resources and natural heritage features and areas;*
- d. the potential of the proposal to cause instability within an area intended to remain stable;*
- e. the ability of the City's infrastructure to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure improvements in other areas of the City;*

Compatibility of the proposed uses and built form, the impact on the stability of the area, and the serviceability of the land are assessed in detail previously in this report. The redevelopment will introduce compatible built forms and uses that are anticipated to serve the surrounding area and future residents. The proposed plan of subdivision will be serviced by municipal water and sanitary services.

- f. the financial implications (both costs and revenues) to the City;*

Re-designation of the subject lands will allow their development with residential, open space and commercial uses. Financial implications will be examined in greater detail at the final plan of subdivision approval stage.

- g. the degree to which approval of the amendment would establish an undesirable precedent; and,*

The subject site is no longer in institutional ownership which would allow the development of the subject site with an institutional use. The proposed Official Plan Amendment is necessary to facilitate the development of the subject site located within the City's urban boundary in proximity to residential, open space, institutional and commercial uses with access to transit. The proposed residential, commercial and open space uses are appropriate for the subject site and will not establish an undesirable precedent.

- h. consistency with the Provincial Policy Statement and provincial legislation and guidelines.*

The amendment will allow the redevelopment of the subject site with three new residential and commercial buildings, integration of large areas of open space, and the rehabilitation of the former Prison for Women. The Official Plan Amendment will increase the housing supply and add park space to the City. The amendment will allow the development of an existing underutilised parcel within the City's urban boundary in an efficient and appropriate manner.

Section 9.5.9 lists the matters to which Planning Committee must have regard when considering applications for Zoning By-law Amendment:

- a. conformity of the proposal with the intent of the Official Plan policies and schedules;*

An application for Official Plan Amendment is being submitted concurrently with an application for Zoning By-law Amendment and Draft Plan of Subdivision. The subject lands are currently designated Major Institution on Schedule 2 and Institutional on Schedule 3-A Land Use of the City's Official Plan. The subject site was previously in the ownership of Queen's University but was sold and is currently in private ownership. As a result, the existing Institutional designation is no longer applicable or appropriate for the subject site. The proposed residential, open space and commercial uses on the subject site comply with the Official Plan.

- b. compatibility of the proposal with existing uses and zones, sensitive uses, the natural heritage system, cultural heritage resources, and compatibility with future planned uses in accordance with this Plan;*

The proposed development seeks to permit the rehabilitation of the former Prison for Women for residential use, the development of two new buildings including a seniors' housing continuum of care consisting of 215 units and a hotel consisting of 119 suites, as well as the introduction of a public-private park. The proposed residential, commercial and open space uses are compatible with the surrounding institutional, residential and commercial uses. A Heritage Conservation Strategy has been prepared to appropriately guide the proposed development to ensure that the cultural heritage features on the subject site and within the surrounding area are thoughtfully considered and protected.

- c. compatibility of proposed buildings or structures with existing buildings and structures, with zoning standards of adjacent sites, with any future planned standards as provided in this Plan, and with any urban design guidelines adopted by the City for the area;*

The proposed uses, building height, setbacks, and additional zoning provisions reflect the intended built form and will be compatible with the surrounding residential and institutional uses.

- d. the extent to which the proposal is warranted in this location and the extent to which areas zoned for the proposed use are available for development;*

The subject site is currently zoned Special Education and Medical Uses (E2) Zone in the City's Zoning By-law 8499. The subject site was previously owned and operated by the Federal Government, was later sold to Queen's University, and has since been sold and is now held in private ownership. As a result, the zoning of the subject site is no longer applicable or appropriate. The intent of the redevelopment is to create a carefully designed, compact community with a healthy mix of uses, context-sensitive buildings, and well-formed and pedestrian-friendly open spaces. The intent is to animate the area by seamlessly integrating a mix of residential, commercial, and open space uses. The site is appropriately located at multiple intersections of arterial and collector roads, includes extensive value which will be conserved, and is located in proximity to Lake Ontario and residential, commercial, institutional and open space uses. The proposed development is appropriately located within the City.

- e. the suitability of the site for the proposal, including its ability to meet all required standards of loading, parking, open space or amenity areas;*

The proposed development will incorporate necessary on-site parking, loading, open space and amenity area.

- f. the suitability of the density relative to the neighbourhood and/or district, in terms of units per hectare, bedrooms per hectare, floor space index, and/or employees per hectare, as applicable;*

The surrounding area consists of low density residential built forms, institutional uses, commercial uses, and taller multiple unit residential buildings in proximity to the subject site. The proposed development will result in a high-density development and will support existing transit service as well as surrounding commercial, employment and retail uses, along with municipal services and facilities.

- g. the impact on municipal infrastructure, services and traffic;*

Although the proposal will result in additional residential development and lead to intensification of the site, the redevelopment is not anticipated to impact existing infrastructure, services, or traffic levels.

- h. comments and submissions of staff, agencies and the public; and,*

An Open House and a statutory meeting before Planning Committee will be held which will provide an opportunity for receiving and responding to comments from the Public and Committee members. The application will also be reviewed on its technical merits by City staff and a second public hearing will be held when the application returns to Planning Committee with a recommendation from City staff.

- i. the degree to which the proposal creates a precedent.*

The subject site is no longer in institutional ownership which would allow the development of the subject site with an institutional use. The proposed Zoning By-law Amendment is necessary to facilitate the development of the subject site located within the City's urban boundary in proximity to residential, open space, institutional and commercial uses with access to transit. The proposed residential, commercial and open space uses are appropriate for the subject site and will not create a precedent.

Section 9.5.25 provides policies related to height and density bonusing, which states:

9.5.25. The City may approve a by-law authorizing an increase in height or density beyond that allowed in the zoning by-law pursuant to the Planning Act, in return for facilities, services or matters benefiting the public, including the following:

- a. providing a wide range of clearly specified and designed housing types, including affordable housing and housing for seniors and individuals with special needs;*
- b. providing parkland dedication beyond what is already required by this Plan;*
- c. protecting features of the natural heritage system, such as woodlands, beyond the parkland dedication requirements of the Planning Act;*

- d. *improving access to public transit facilities;*
 - e. *providing universally accessible public areas, pathways, and connections to external public pathways/trail systems;*
 - f. *providing public and/or underground parking;*
 - g. *providing community and open space facilities such as small parks, day care centres, community centres, recreation facilities, cultural facilities;*
 - h. *conserving cultural heritage resources;*
 - i. *protecting or enhancing significant views;*
 - j. *providing public art;*
 - k. *providing green technology and sustainable architecture and alternative construction methods such as “green roofs” and LEEDR certified buildings;*
 - l. *providing streetscape improvements in accordance with Council-endorsed documents such as the Downtown Action Plan and that also enhance accessibility and wayfinding; and,*
 - m. *including local improvements identified in community design plans, community improvement plans, secondary plans, capital budgets or other implementing plans or studies.*
- 9.5.26. *Each proposal for an increase in height and density must be assessed on a case by case basis, and be supported by such additional information and studies as deemed appropriate by the City, in order that Council ensures that:*
- a. *the development resulting from the application of increased height and density does not impose adverse effects on neighbouring uses, and meets the general intent and purpose of the land use compatibility principles in Section 2.7 and the urban design principles as outlined in Section 8 of this Plan;*
 - b. *the development resulting from the application of increased height and density ensures that identified cultural heritage resources are conserved, as demonstrated through the completion of a heritage impact statement where required by the City;*
 - c. *the proposed increased height and density provision supports the strategic planning approach to guide and respond to development applications for change in areas of the City, as outlined in the policies of Section 2.6 of this Plan regarding stable areas and areas in transition;*
 - d. *there are adequate municipal services including water, sanitary sewers, stormwater management facilities and community services;*
 - e. *the transportation system can accommodate the increase in density;*
 - f. *the site is suitable in terms of size and shape, to accommodate the necessary on-site functions such as parking, landscaping and recreational facilities of universal design;*
 - g. *there is a reasonable planning relationship between the community benefits and the proposed development;*
 - i. *the value of the increased height and density is appraised by the developer and the value of the benefit to be provided is assessed compared to the increased value to the developer, so that there is an equitable relationship between the established value of the increased height and density and its value to the community; and,*
 - j. *the development must constitute good planning and be consistent with the policies of this Plan.*

The proposed development seeks to increase the height and density permitted by the current zoning by-law, which is supported by the Urban Design and Shadow Study prepared by Fotenn Planning + Design. The development will contribute community benefits which will be determined through consultation with the City and the community.

Section 9.6.4 provides applicable policies for the plan of subdivision:

Plans of subdivision must conform to the policies of this Plan, and to the Provincial Policy Statement, as amended, and other requirements of senior levels of government. Council must be satisfied that:

- a. *the proposed subdivision can be adequately supplied with municipal infrastructure and services in an economic manner if located within the Urban Boundary, or if located outside any settlement areas, the proposal is adequately supplied with individual on-site water and sewage services;*

The Servicing and Stormwater Management Report demonstrate that adequate municipal services are available for the proposed development.

- b. the proposed subdivision has been designed to integrate compatibly with transit and the broader transportation system, adjacent existing and planned land uses, and both the natural heritage system, and cultural heritage resources;*

The proposed development has been designed to integrate with the existing transportation network, while also incorporating new vehicular entrances to connect to Union Street and Sir John A MacDonald Boulevard. The proposed subdivision seeks to complement the surrounding residential and institutional uses and redevelop the existing underutilized parcel. Thoughtful site layout and design of individual buildings will ensure that the built heritage resource located on the subject site, the former Prison for Women, and surrounding cultural heritage features are protected through the proposed development.

- c. the plan of subdivision has been designed so there are no negative impacts on the natural heritage features or areas and designed to avoid natural and human-made hazards;*

The subject site does not contain any identified natural heritage features or areas and does not contain any natural or human-made hazards, and the proposed development will not create any natural or human-made hazards.

- d. the proposed development addresses issues of energy conservation and sustainability;*

The proposed subdivision seeks to intensify and redevelop an existing underutilized brownfield parcel of land within the City. The proposal will result in improved use of existing infrastructure, transit, land and built heritage resources.

- e. the proposed subdivision is necessary, timely and in the public interest; and,*

The proposed subdivision can be serviced with existing service levels and will redevelop an existing underutilized parcel within the City's urban boundary. The proposed development will supply additional residential opportunities and will conserve the former Prison for Women, both of which are in the public interest.

- f. the design of the proposed plan of subdivision meets accepted design principles and standards of the City, and has had adequate regard for any urban design guidelines, land acquisition programs, or other policy initiatives that are relevant to the area.*

As demonstrated, the proposed subdivision complies with the urban design policies of Section 8.

The proposed development and Official Plan Amendment conform to the policies of Section 9 of the City's Official Plan. It is our professional planning opinion that the proposed Official Plan Amendment and proposed development are appropriate and conform to the policies of the City of Kingston Official Plan.

6.0

Existing and Proposed Zoning

The subject site is regulated by the City of Kingston Zoning By-law No. 8499 and is zoned Special Education and Medical Uses (E2) Zone. The proposed residential, commercial, and open space uses are not permitted by the existing E2 zone.

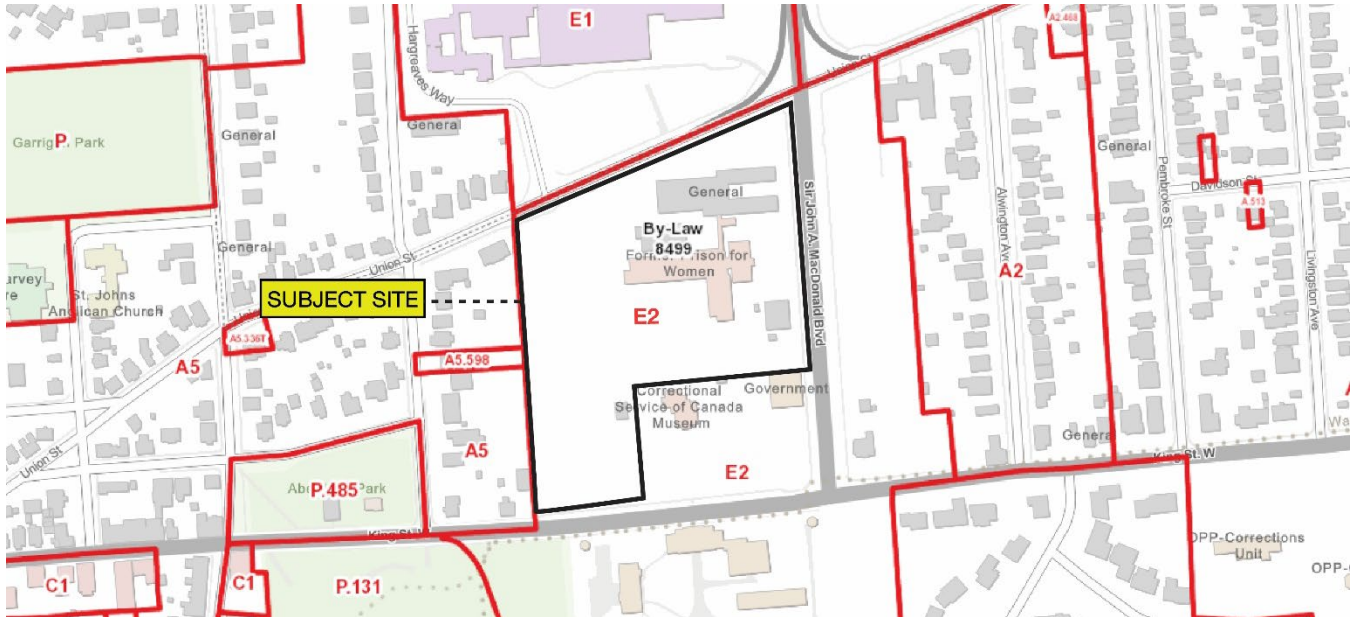


Figure 35: Current Zoning (Source: Kingston K-Maps)

It is proposed to rezone the subject site to four site specific zones, including three site specific Multiple Family Dwelling (B3) Zones and one Private Open Space (OS2) Zone. It is also proposed to add a Holding Symbol to the Block A portion of the subject site to require that any future development of the block occur through an application for Zoning By-law Amendment.

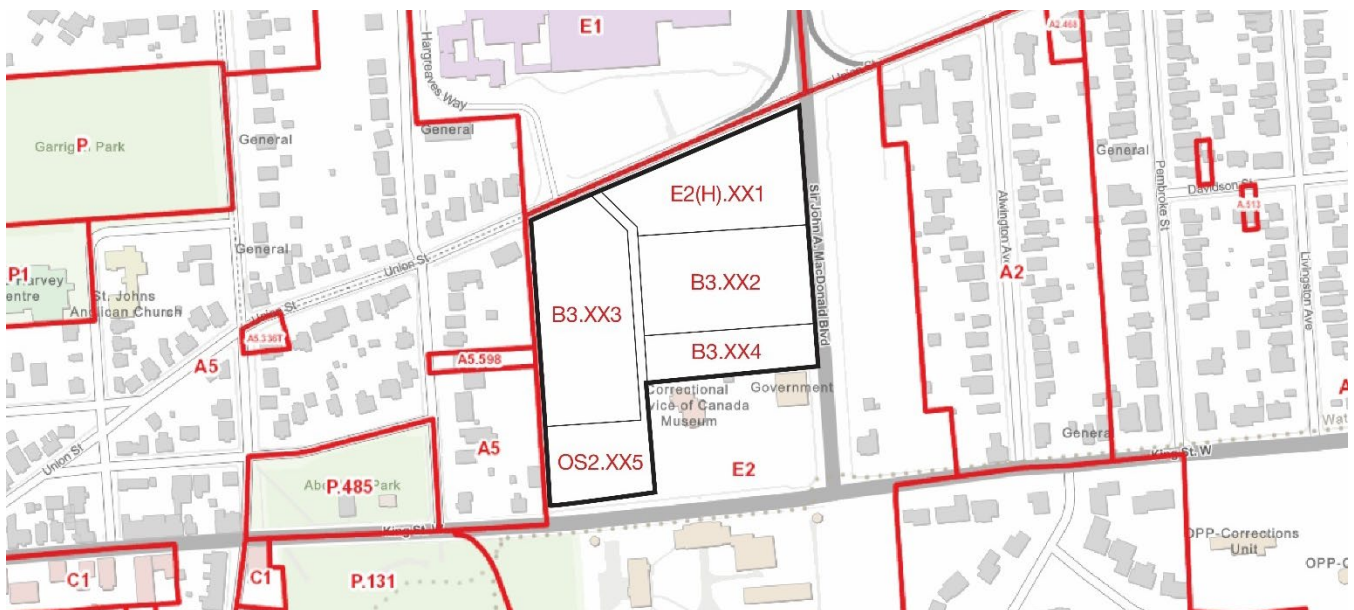
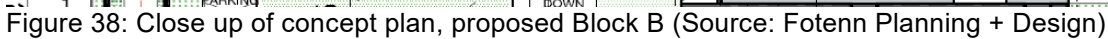


Figure 36: Proposed Zoning (Source: Kingston K-Maps, Annotated by Fotenn Planning + Design)



The proposed zone allows the following uses:

- Block B consists of the former Prison for Women building which is proposed to be rehabilitated as a multiple unit residential building. Block B proposes to include the multiple family dwelling use, accessory buildings, and Senior Citizen Apartments as permitted uses.

The B3 zone does not provide a maximum building height. Despite this, it is proposed to establish a maximum building height of 20.0 metres for Block B. Section 4.11 of Zoning By-law 8499 provides the following definition for building height: *“the vertical distance measured from the average finished grade of the entire lot to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs”*. The Block B building will contain both flat and low pitch roof features. The low pitch portion of the building will have the greatest building height, therefore the halfway point of the roof, 20.0 metres is proposed as the maximum building height for Block B. Permitting a building height of 20.0 metres (four storeys) will recognize and permit the existing building height on the proposed block.

The B3 zone requires a minimum front yard depth of 7.5 metres. The proposed development of Block B will consist of the rehabilitation of the existing building which has an existing front yard depth of approximately 30 metres. No change is proposed to the front yard depth of Block B.

Union Park
OPA, ZBA, DPS

The B3 zone establishes side yard setbacks based on half the building height of the proposed building, which for Block B results in a minimum side yard setback of 10.0 metres. The south side yard setback is proposed to be reduced from 10.0 metres to 8.0 metres. The minimum north side yard setback is proposed to be reduced from 10.0 metres to 6.0 metres. Based on the proposed zone boundary, intended lot fabric of the subject site, and intention of a future taller building on Block A, it is proposed to provide a reduced north and south side yard setback for Block B. The reduced setbacks will ensure that Block A can provide greater setbacks for future development. Despite a reduced setback, building separation will exceed the minimum 10.0 metre setback.

The B3 zone requires a minimum aggregate side yard setback equal to one and a half times the proposed building height, which results in a requirement of 30.0 metres. The aggregate side yard setback is proposed to be reduced from 30.0 metres to 14.0 metres for Block B. Despite this reduction, the building will provide adequate building separation, transition to surrounding buildings, and will provide the necessary amenity area, landscaped open space, on-site parking, and safe egress and ingress. This reduced setback will not result in any visual impact, shadowing or intrusive overlook for surrounding parcels. Block B does not abut any part of a lot occupied by a one-family dwelling or a two-family dwelling and therefore no yard is required to be fenced with a masonry wall.

Rear Yard (min.)

The B3 zone establishes the rear yard setback based on the building height of the proposed building, which for Block B results in a minimum rear yard setback of 20.0 metres. It is proposed to reduce the rear yard setback from 20.0 metres to 4.0 metres to allow for the existing substantial front yard setback from Sir John A MacDonald Boulevard to be retained. This reduced setback will not result in any visual impact, shadowing or intrusive overlook for surrounding parcels and an approximately 38 metre building separation will be provided from the rear of the Block B building to the Block C building.

Lot Occupancy (max.)

The B3 zone permits a maximum lot occupancy of 100 percent, which Section 4.18 of Zoning By-law 8499 defines as *"the sum of the individual gross floor areas of the building expressed as a percentage of lot area"*. The proposed lot area of Block B is 7,737 square metres and the gross floor area of the Block B building is 7,108 square metres which equates to a lot occupancy of 91.9 percent. No amendment is required to the permitted lot occupancy.

Density (max.)

The B3 zone permits a maximum density of 123 dwelling units per net hectare. The proposed Block B building will consist of 24 residential units which results in a net residential density of 31 dwelling units per net hectare. No amendment is proposed to the permitted density.

Landscape Open Space (min.)

The B3 zone require a minimum of 30 percent landscape open space. Block B will provide approximately 4,258 square metres of landscaped open space which results in proximately 55 percent, well in exceed of the zoning requirement. No amendment is proposed to the required landscape open space.

Parking Requirement (min.)

For multiple family dwellings in the B3 zone, a minimum of 1.4 spaces are required per dwelling unit. The Parking Study prepared by McIntosh Perry supports the provision of 1 parking space per dwelling unit. Therefore, despite the proposed approximately 49 on-site parking spaces for Block B in excess of the zoning requirement, it is proposed to reduce the parking requirement to 1 space per dwelling unit. Per the findings of the Parking Study, this reduced ratio in combination with the supply of bicycle parking and access to transit will meet the parking needs of residents.

Parking Design Standards

The General Provisions of Zoning By-law 8499 requires parking spaces to have minimum dimensions of 2.7 metres wide and 6.0 metres long. It is proposed to reduce the parking stall dimensions to 2.6 metres wide and 5.2 metres long. The requested relief from the minimum parking stall width and length is consistent with recently approved developments of similar size in the City of Kingston. For instance, a Zoning By-law Amendment was approved for a property known as 464 Frontenac Street included minimum dimensions of 2.6 metres by 5.2 metres for standard parking and 3.7 metres by 5.2 metres for Type A accessible spaces. The minimum parking

stall dimensions approved for 390 King Street West (Isabel Bader Centre for the Performing Arts) are also 2.6 metres by 5.2 metres. This approval set the benchmark for parking stall dimensions and is consistently used across the City. Despite a reduced parking stall size, the provided parking will meet the needs of site users.

Accessible Parking Requirement (min.)

The General Provisions of Zoning By-law 8499 requires accessible parking to be provided at a rate of 4 percent of the required parking supply. It is proposed to provide one accessible parking space on Block B which meets the necessary zoning requirement. No amendment to accessible parking space supply is proposed.

Accessible Parking Design Standards

The General Provisions of Zoning By-law 8499 require the following accessible parking stall dimensions:

- / Type A: 3.4 m x 6.0 m
- / Type B: 2.7 m x 6.0 m
- / Access Aisle: 1.5 m x 6.0 m

It is proposed to reduce the length of Type A, Type B and the Access Aisle to 5.2 metres and reduce the Type B parking stall width to 2.6 metres in order to maximize site efficiency. The proposed length and Type B width reduction will ensure there is consistency across all parking spaces provided on Block B. Despite a reduced parking stall size, the provided parking will meet the needs of site users.

Parking Location

The General Provisions of Zoning By-law 8499 requires parking to be located within an enclosed building or to the rear of a point midway between the front and rear wall of the main building when this main building is situated on a lot which abuts one street only but not within any front yard space. Parking for Block B is proposed to be located behind the front wall of the main building and within an underground parking garage. While an amendment is not necessary, minor changes are proposed to regulate the parking location on Block B consistent with the needed changes for Block C.

Driveway Width

The General Provisions of Zoning By-law 8499 requires driveways in residential zones to have a minimum width of 3.0 metres and a maximum width of 6.0 metres or 40 percent of the lot width. The proposed vehicular access from Sir John A MacDonald Boulevard is proposed to have a width of 7.0 metres or 10.5 percent of the lot width. Despite exceeding the maximum permitted width, the 7.0 metre driveway width is intended to accommodate two-way vehicular access and therefore an increase to the width is necessary to facilitate safe and efficient vehicular movements.

Bicycle Parking

The General Provisions of Zoning By-law 8499 requires 1 bicycle parking space to be provided per dwelling unit. The proposed development of Block B will provide 1 bicycle parking space per dwelling unit as well as visitor bicycle parking spaces, therefore no amendment is proposed.

Projections into Yards

The General Provisions of Zoning By-law 8499 provides zoning requirements for unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered as follows:

- / Max. Area: 30 square metres
- / Min. Interior Side Yard Setback: 6.0 metres
- / Min. Rear Yard Setback: 4 metres
- / Min. Front Yard Setback: 7.5 metres

The proposed balconies and unenclosed patios for each residential unit will have areas of 26 square metres, the shortest north interior side yard setback will be 6.0 metres, the shortest south interior side yard setback will be 20.3 metres, the shortest rear yard setback will be 17.5 metres, and the shortest front yard setback will be 40.6 metres. Therefore, it is proposed to permit a reduced side yard setback to allow the balconies and patios as proposed. Despite this reduction, all balconies will be setback behind the side wall of the building and issues related to overlook or privacy are not anticipated.

Structures Permitted Above the Height Limit

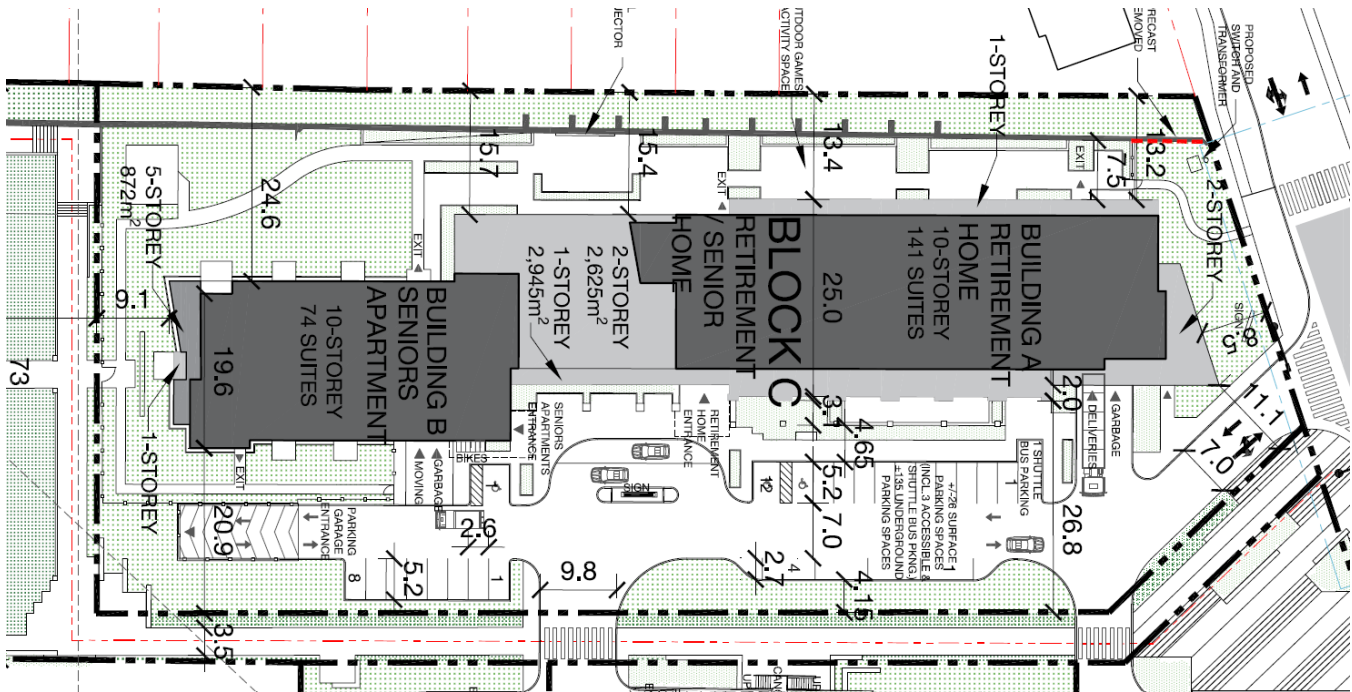
The General Provisions of Zoning By-law 8499 provide exceptions for the building height requirement. It is proposed to add the existing cupola on the former Prison for Women, which will be retained through the redevelopment, to the list of structures permitted above the height limit. The cupola is an architecturally significant element on the front area of the building and in order to recognize this existing built form, this relief is necessary.

Amenity Areas

The General Provisions of Zoning By-law 8499 require amenity space to be provided at a rate of 18.5 square metres per dwelling unit, designed and located so that the length does not exceed four times the width, and if aggregated into communal spaces the areas are not to be less than 54 square metres. Approximately 1,011 square metres of common interior, common exterior, and private exterior amenity spaces are proposed for Block B, well in excess of the zoning requirement. All spaces will be designed for the length does not exceed four times the width. A few of the proposed common interior amenity areas are proposed to be less than the minimum 54 square metre communal aggregate requirement. Therefore, it is proposed to reduce the minimum aggregate communal space area to 40 square metres to accommodate a few of the proposed interior shared amenity areas. Despite the reduced area, the spaces will properly function for resident use and enjoyment. All exterior common amenity areas will exceed the aggregate area requirement.

Block C – Site-Specific Multiple Family Dwelling (B3.XX3) Zone

It is proposed to apply a site-specific Multiple Family Dwelling (B3) Zone to Block C.



Kingston zoning by-laws recognized the built form proposed. Therefore, any direction that was considered would have required a custom zone with site-specific provisions. The choice of the B3 zone was carefully considered against other residential multiple family zones as well as commercial zones, but the B3 zone was chosen as most appropriate as it recognizes both the multi-family dwelling unit as well as seniors' apartment uses.

The proposed site-specific provisions related to the proposed development of Block C are reflective of the thoughtful and careful design of the building and Block C layout. Our review below examines the proposed uses and provisions against the zone provisions of the B3 zone and General Provisions of Zoning By-law 8499.

Permitted Uses

The proposed zone allows the following uses:

- / Multiple family dwellings;
- / Accessory buildings;
- / Community Homes;
- / Senior Citizen Apartments;
- / Residential Care Facilities;
- / Personal service shop, including a spa and/or salon.

Block C will include multiple family dwelling units, senior citizen apartments and it is proposed to include retirement home and personal service shop as permitted uses. Expanding the list of permitted uses on Block C will allow the development to provide a fulsome seniors' housing continuum of care facility to support multiple aspects of aging along with aging in place as well to make the proposed spa and salon available to larger community use. The proposed amendment to the permitted uses is appropriate.

Building Height (max.)

The B3 zone does not provide a maximum building height. Despite this, it is proposed to establish a maximum building height of 35.1 metres, up to 10 storeys for Block C. Section 4.11 of Zoning By-law 8499 provides the following definition for building height: *"the vertical distance measured from the average finished grade of the entire lot to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs"*. The Block C building will contain a flat roof with a building height of 35.1 metres with the mechanical penthouse above.

Front Yard (min.)

The B3 zone requires a minimum front yard depth of 7.5 metres. The proposed development of Block C will provide a front yard setback of 8.5 metres which exceeds the requirement. No amendment is proposed.

Side Yard (min.)

The B3 zone establishes side yard setbacks based on half the building height of the proposed building, which for Block C results in a minimum side yard setback of 17.55 metres. The west side yard will have a setback of 13.0 metres and the east side yard will have a setback of 11.0 metres. Based on the proposed zone boundary, intended lot fabric of the subject site and overall development, as well as the consideration of the actual building separations proposed, it is proposed to reduce both the west and east side yard setbacks to permit the location of the Block C building as proposed. Despite these reduced setbacks, building separation between Block C and other blocks within the development as well as the adjacent low density residential dwellings, will greatly exceed 17.55 metres.

The B3 zone requires a minimum aggregate side yard setback equal to one and a half times the proposed building height, which results in a requirement of 52.65 metres. The aggregate site yard setback is proposed to be reduced from 52.65 metres to 24.0 metres for Block C. Despite this reduction, the building will provide adequate building separation, transition to surrounding buildings, and will provide the necessary landscaped open space, on-site parking, and safe egress and ingress. This reduced setback will not result in any visual impact, shadowing or intrusive overlook for surrounding parcels.

The B3 zone requires a side yard abutting a one-family dwelling or a two-family dwelling to have a setback width equal to the height of the building and that such side yard is to be fenced with a masonry wall not less than 1.4 metres in height. In the case of Block C, this is only required for the west lot boundary. As previously discussed, it is proposed to reduce the required west side yard setbacks to 13.0 metres to support the building location as

proposed. As well, the majority of the former masonry and concrete prison perimeter wall will be retained along the western property boundary of Block C. The existing masonry wall has an existing height of greater than 1.4 metres, and therefore no amendment is proposed to this provision.

Rear Yard (min.)

The B3 zone establishes the rear yard setback based on the building height of the proposed building, which for Block C results in a minimum rear yard setback of 35.1 metres. It is proposed to reduce the rear yard setback from 35.1 metres to 9.1 metres to allow for the building location as proposed and to ensure that the building complies to the required front yard setback from Union Street. This reduced setback will not result in any visual impact, shadowing, or intrusive overlook for surrounding parcels. As well, it should be noted that the rear of Block C abuts the proposed Block E which will consist of open park space, therefore no adjacent buildings will be impacted by the reduced rear yard setback.

Lot Occupancy (max.)

The B3 zones permits a maximum lot occupancy of 100 percent, which Section 4.18 of Zoning By-law 8499 defines as *“the sum of the individual gross floor areas of the building expressed as a percentage of lot area”*. The proposed lot area of Block C is 9,526 square metres and the gross floor area of the Block C building is 22,055 square metres which equates to a lot occupancy of 232 percent. Relief is requested in order to permit the proposed building envelope and allow a total of 141 retirement units and 74 seniors' apartments within the proposed building, which will support additional residential opportunity and aging in place. Lot occupancy of 240 percent is being sought to provide slight flexibility at final design stage. Relief from this provision will not create adverse impact to surrounding properties as the building and its orientation on the site has been designed to reduce shadows and overall massing.

Density (max.)

The B3 zone permits a maximum density of 123 dwelling units per net hectare. The proposed Block C building will consist of 215 retirement units and senior apartments which results in a net residential density of 225.7 dwelling units per net hectare, and we are recommending a density of 230 dwelling units per net hectare to provide slight flexibility at building permit stage. Both the Provincial Policy Statement and Official Plan include policies that seek to increase overall densities within existing urban areas through appropriate infill and intensification. The proposed development will help achieve these goals while also providing opportunities for aging in place and ensuring that the built form of the structure will be compatible with the surrounding uses. The submitted supporting studies support the intensification of the subject lands. For instance, the Servicing Report indicates that there is sufficient infrastructure capacity to support the expected increases in demand. A Traffic Study was also conducted which concludes the existing transportation network can support traffic increases generated by the project.

Landscape Open Space (min.)

The B3 zone requires a minimum of 30 percent landscape open space. Block C will provide approximately 4,648 square metres of landscaped open space which results in proximately 49 percent, well in exceed of the zoning requirement. No amendment is proposed to the required landscape open space.

Parking Requirement (min.)

For multiple family dwellings in the B3 zone, a minimum of 1.4 spaces are required per dwelling unit. The Parking Study prepared by McIntosh Perry indicates that Kingston's Zoning By-law 8499 does not specify a parking requirement for senior apartments or retirement suites, but notes the City has other zoning by-laws that provide requirements for senior living, and existing examples of seniors' projects have been approved which assist in determining a more appropriate parking requirement for Block C. The Township of Kingston Zoning By-law 76-26 requires a minimum of 0.5 parking spaces per unit for a senior citizens' apartment dwelling house. As well, a recent seniors' housing project approved in the City of Kingston, within the boundary of the Cataraqui North governed by Zoning By-law 97-102, allows a site-specific retirement home parking requirement of 0.6 parking spaces per dwelling unit and for the purposes of calculating off-street parking, a dwelling unit equivalency ratio of 2 retirement home suites to 1 dwelling unit applies. Based on this review, the Parking Study concludes that the use of a 2:1 dwelling unit equivalency ratio for retirement suites and application of a reduced parking requirement of 0.6 spaces per unit for senior apartments is considered appropriate. Using these revised rates, the 141 retirement suites and 74 senior apartments will require 88 parking spaces. The Parking Study indicates

that the proposed approximately 161 parking spaces on Block C will meet and well exceed the parking needs of the use. It is therefore proposed to apply the recommended parking rate of 2:1 dwelling unit equivalency ratio for retirement suites and 0.6 spaces per unit for senior apartments for Block C.

Parking Design Standards

The General Provisions of Zoning By-law 8499 requires parking spaces to have minimum dimensions of 2.7 metres wide and 6.0 metres long. It is proposed to reduce the parking stall dimensions to 2.6 metres wide and 5.2 metres long. The requested relief from the minimum parking stall width and length is consistent with recently approved developments of similar size in the City of Kingston. For instance, a Zoning By-law Amendment was approved for a property known as 464 Frontenac Street included minimum dimensions of 2.6 metres by 5.2 metres for standard parking and 3.7 metres by 5.2 metres for Type A accessible spaces. The minimum parking stall dimensions approved for 390 King Street West (Isabel Bader Centre for the Performing Arts) are also 2.6 metres by 5.2 metres. This approval set the benchmark for parking stall dimensions and is consistently used across the City. Despite a reduced parking stall size, the provided parking will meet the needs of site users.

Accessible Parking Requirement (min.)

The General Provisions of Zoning By-law 8499 requires accessible parking to be provided at a rate of 4 percent of the required parking supply. It is proposed to provide six accessible parking space on Block C which exceeds the necessary zoning requirement. No amendment to accessible parking space supply is proposed.

Accessible Parking Design Standards

The General Provisions of Zoning By-law 8499 require the following accessible parking stall dimensions:

- / Type A: 3.4 m x 6.0 m
- / Type B: 2.7 m x 6.0 m
- / Access Aisle: 1.5 m x 6.0 m

It is proposed to reduce the length of Type A, Type B, and the Access Aisle to 5.2 metres and reduce the Type B parking stall width to 2.6 metres in order to maximize site efficiency. The proposed length and Type B width reduction will ensure there is consistency across all parking spaces provided on Block C. Despite a reduced parking stall size, the provided parking will meet the needs of site users.

Parking Location

The General Provisions of Zoning By-law 8499 requires parking to be located within an enclosed building or to the rear of a point midway between the front and rear wall of the main building when this main building is situated on a lot which abuts one street only but not within any front yard space. Parking for Block C will mainly be provided in an underground parking garage, with some onsite surface parking spaces proposed to the east of the building located in front of the building's midway point. It is therefore necessary to amend the parking location requirement to allow the surface parking to be located as proposed. This amendment will ensure that surface parking to support short term visits, shuttle bus parking and accessible parking spaces can be located in proximity to the building's main entrance for ease of resident and visitor access.

Driveway Width

The General Provisions of Zoning By-law 8499 requires driveways in residential zones to have a minimum width of 3.0 metres and a maximum width of 6.0 metres or 40 percent of the lot width. The proposed vehicular access from Union Street is proposed to have a width of 7.0 metres or 16 percent of the lot width. Despite exceeding the maximum permitted width, the 7.0 metre driveway width is intended to accommodate two-way vehicular access and therefore an increase to the width is necessary to facilitate safe and efficient vehicular movements.

Bicycle Parking

The General Provisions of Zoning By-law 8499 requires 1 bicycle parking space to be provided per dwelling unit. It is proposed to supply a total of 12 bicycle parking spaces on Block C. The Transportation Impact and Parking Study prepared by McIntosh Perry indicates that given the by-law does not provide a minimum bicycle parking requirement for the land use type, an appropriate number of bicycle parking has been provided to meet the needs for residents, workers and visitors. As well, given the site's proximity to transit, the community providing a shuttle service dedicated to residents, a high demand for bicycle parking is not warranted for the site, and therefore, the proposed supply of 12 spaces is considered suitable for the development block. It is proposed to amend the provision to require a total of 12 bicycle parking spaces for Block C.

Amenity Areas

The General Provisions of Zoning By-law 8499 require amenity space to be provided at a rate of 18.5 square metres per dwelling unit, designed and located so that the length does not exceed four times the width, and if aggregated into communal spaces the areas are not to be less than 54 square metres. Approximately 3,500 square metres of common interior, common exterior, and private exterior amenity spaces are proposed for Block C, which is slightly less than what is required. It is proposed to reduce the amenity area required to 10 square metres per dwelling unit. Ten square metres per dwelling unit aligns with the requirement for multiple dwelling unit buildings located within the City's Central Business District and within the Williamsville Main Street Corridor. The proposed development of Block C seeks to efficiently utilize both the outdoor space as well as interior spaces. In addition, the overall development of Union Park will feature large areas of open space for the benefit of all residents. It is also important to highlight that Block C will also benefit from the landscaped area and park space to be provided on Block E, which does not form part of the site's calculated amenity area. Despite a reduce amenity area requirement, the proposed development will provide numerous areas, both interior and exterior to the building, to support the recreational and leisure needs of residents. It is proposed to remove the minimum communal area requirement. Despite the removed minimum area requirement, all communal spaces will properly function for resident use and enjoyment. It is important to note that interior amenity space provided on Block C aligns with similar age in place communities and the exterior amenity area specific to Block C is generous when compared to the same communities.

Block D – Site-Specific Multiple Family Dwelling (B3.XX4) Zone

It is proposed to apply a site-specific Multiple Family Dwelling (B3) Zone to Block D. Our review below examines the proposed uses and provisions against the zone provisions of the B3 zone and General Provisions of Zoning By-law 8499.

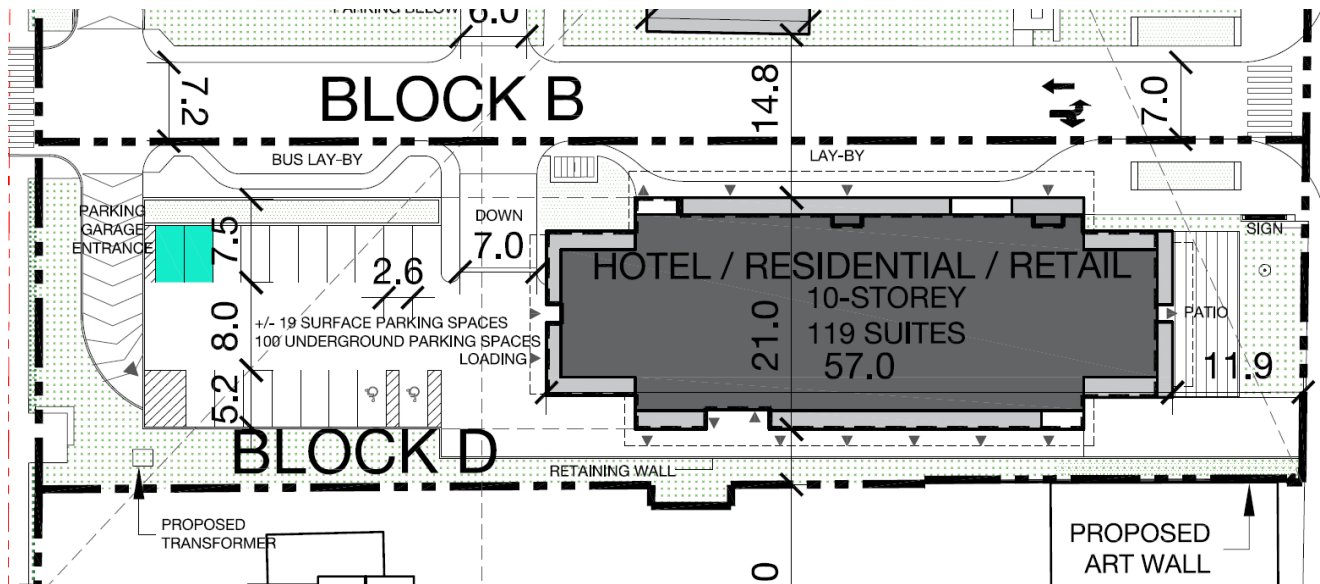


Figure 40: Close up of concept plan, proposed Block D (Source: Fotenn Planning + Design)

Permitted Uses

It is proposed to establish the following permitted primary and complementary uses for Block D:

Primary Permitted Uses:

- / Multiple Family Dwellings;
- / Hotel;

Complementary Permitted Uses (not to exceed 15 percent of the gross floor area of the building in which they are located):

- / Retail stores or shops (including retail stores selling general services);

- / Restaurants, restaurant-dine-in, restaurant-outdoor patio, restaurant-take-out;
- / Neighbourhood stores;
- / Personal service shop;
- / Medical or dental clinic;
- / Veterinary Clinic;
- / Pharmacy;
- / Offices for or in connection with businesses or professions;
- / Social or recreational club;
- / Gym or personal training facility;
- / Parcel delivery service and retail use.

The expanded list of permitted primary and complementary uses for Block D is intended to support small scale commercial uses that will meet the needs of Union Park residents as well as those of the surrounding area. It is proposed to establish hotel as a permitted primary use on the subject site. The proposed hotel use of the site is intended to provide small kitchenettes in each suite to support longer term stays, rather than short, brief visits. The hotel use will support visitors to the subject site as well as to Kingston's downtown area, the Portsmouth Heritage Area, and Kingston's waterfront. In addition, long term hotel units will support Canadian Forces Base Kingston, Queen's University, St. Lawrence College and the three regional hospitals. Although currently proposed to consist of a hotel use, the proposed Block D building could be used as a multiple family unit building if the hotel cannot be justified in the future after the full effects of the pandemic are realized, and therefore it is proposed to retain the permitted multiple family dwelling use.

It is also proposed to establish complementary commercial and personal service uses for Block D. The ground floor of the proposed building is intended to support a mixed of uses to meet the needs of both site residents as well and visitors and residents of the surrounding area. Uses such as a convenience store, restaurant, personal service shop, such as a hairdresser or aesthetician, a medical or dental clinic, veterinary clinic, pharmacy, recreational club, such as a gym, or parcel delivery service or retail use, such as a UPS or Purolator storefront, will provide services on site that will support the needs of residents and the surrounding area. It is also proposed to establish a maximum area that can be utilized for the proposed complementary uses. These uses are intended to be complementary to the hotel, or potential future residential use, of the building and will occupy space on the ground floor. Therefore, it is proposed to restrict the complementary uses to a maximum of 15 percent of the gross floor area of the building. These complementary uses will assist in creating a compact, mixed-use community on the subject site.

Building Height (max.)

The B3 zone does not provide a maximum building height. Despite this, it is proposed to establish a maximum building height of 40.0 metres, up to 10 storeys for Block D. Section 4.11 of Zoning By-law 8499 provides the following definition for building height: *"the vertical distance measured from the average finished grade of the entire lot to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs"*. The Block D building will contain a flat roof, and the maximum permitted building height proposed has been considered to include all mechanical penthouse features and parapets to ensure the proposed building envelope is permitted.

Front Yard (min.)

The B3 zone requires a minimum front yard depth of 7.5 metres. The proposed development of Block D will provide a front yard setback of 9.0 metres. Although the front yard setback exceeds the requirement, it is proposed to establish 9.0 metres as the minimum front yard setback requirement to ensure the recommendations of the Heritage Strategy related to setbacks and building separation are implemented.

Side Yard (min.)

The B3 zone establishes side yard setbacks based on half the building height of the proposed building, which for Block D results in a minimum side yard setback of 20.0 metres. The north side yard will have a setback of 4.0 metres and the south side yard will have a setback of 4.0 metres. Based on the proposed zone boundary, intended lot fabric of the subject site and overall development, as well as the consideration of the actual building separations proposed, it is proposed to reduce both the north and south side yard setbacks to permit the location

of the Block D building as proposed. Despite these reduced setbacks, building separation between Block D, Block B and the abutting buildings to the south will greatly exceed the proposed 4.0 metre setback proposed.

The B3 zone requires a minimum aggregate side yard setback equal to one and a half times the proposed building height, which results in a requirement of 60.0 metres. The aggregate site yard setback is proposed to be reduced from 60.0 metres to 8.0 metres for Block D. Despite this reduction, the building will provide adequate building separation, transition to surrounding buildings, and will provide the necessary landscaped open space, on-site parking, and safe egress and ingress. This reduced setback will not result in any visual impact, shadowing or intrusive overlook for surrounding parcels.

Rear Yard (min.)

The B3 zone establishes the rear yard setback based on the building height of the proposed building, which for Block D results in a minimum rear yard setback of 40.0 metres. A rear yard setback of 46 metres is proposed, therefore no amendment is proposed.

Lot Occupancy (max.)

The B3 zones permits a maximum lot occupancy of 100 percent, which Section 4.18 of Zoning By-law 8499 defines as *"the sum of the individual gross floor areas of the building expressed as a percentage of lot area"*. The proposed lot area of Block D is 3,608 square metres and the gross floor area of the Block D building is 8,699 square metres which equates to a lot occupancy of 241 percent. Relief is requested in order to permit the proposed building envelope and allow a total of 119 hotel suites, which may be re-purposed as residential in the future. Lot occupancy of 270 percent is being sought to provide slight flexibility at final design stage. Relief from this provision will not create adverse impact to surrounding properties as the building and its orientation on the site has been designed to reduce shadows and overall massing.

Density (max.)

The B3 zone permits a maximum density of 123 dwelling units per net hectare. Although Block D is currently proposed to consist of 119 hotel suites, the building may be re-purposed for residential uses should the hotel and tourism industry be slow to recover from the pandemic and therefore, it is the intent to establish appropriate zoning permissions which would support the change. One of these provisions is density. Should the building be re-purposed for residential, it would result in a net residential density of 330 dwelling units per net hectare, and we are recommending a density of 350 dwelling units per net hectare to provide slight flexibility at building permit stage. Both the Provincial Policy Statement and Official Plan include policies that seek to increase overall densities within existing urban areas through appropriate infill and intensification. The proposed development will help achieve these goals while also providing opportunities for additional residential units and ensuring that the built form of the structure will be compatible with the surrounding uses. The submitted supporting studies support the intensification of the subject lands. For instance, the Servicing Report indicates that there is sufficient infrastructure capacity to support the expected increases in demand. A Traffic Study was also conducted which concludes the existing transportation network can support traffic increases generated by the project.

Landscape Open Space (min.)

The B3 zone require a minimum of 30 percent landscape open space. Block D will provide approximately 1,305 square metres of landscaped open space which results in proximately 36 percent, which exceeds the zoning requirement. No amendment is proposed to the required landscape open space.

Parking Requirement (min.)

Per the General Provisions of Zoning By-law 8499, a hotel use is required to provide one parking space per guest room plus one space per each person accommodated in a beverage or liquor room, plus one bus parking space for each 50 guest rooms, up to three spaces. Commercial uses are required to provide one parking space per 28 square metres of gross floor area. For multiple family dwellings in the B3 zone, a minimum of 1.4 spaces are required per dwelling unit.

The Parking Study prepared by McIntosh Perry indicates that per the zoning by-law a total of 132 parking spaces are required for the hotel and commercial uses. The Study indicates however that the by-law governing the site was passed in 1975 and does not account for parking policy changes as it relates to reducing parking requirements in areas to facilitate transportation mode shifts or car share. Based on reviewed rates of other

municipalities, a reduced parking rate of 0.9 is considered acceptable for the hotel which will result in a requirement of 107 parking spaces for the 119-unit hotel. Given the nature of operation of the hotel and commercial land uses, peak parking demand for these uses will occur at different times throughout the day. Block D parking spaces can therefore be shared between the commercial and hotel components of the site to accommodate future block parking demand, resulting in a reduced need for parking at the site in comparison to providing parking for the block's individual components. Analysis indicates that a peak parking demand of the uses will be 111 spaces. The proposed parking supply, which includes two car share spaces, generally aligns with the block's forecasted peak demand. In terms of bus parking on Block D, the hotel is anticipated to provide long stay accommodation and the use of buses dropping off and picking up guests is expected to be very low. As such the demand for bus parking at the site would be limited and the single bus parking space proposed should adequately meet demand. As part of consideration for the future development of Block D, the potential exists that the building could be developed to accommodate residential units only. Should a residential option be considered that consists of 119 units or fewer the proposed parking supply would satisfy Zoning By-law 8499 parking requirements of 1 space per unit. Therefore, the Parking Study supports the provision of 0.9 spaces per hotel suite, also factoring in spaces necessary for the commercial uses, and 1 space per residential unit, and as such, these parking requirements are proposed for Block D.

Parking Design Standards

The General Provisions of Zoning By-law 8499 requires parking spaces to have minimum dimensions of 2.7 metres wide and 6.0 metres long. It is proposed to reduce the parking stall dimensions to 2.6 metres wide and 5.2 metres long. The requested relief from the minimum parking stall width and length is consistent with recently approved developments of similar size in the City of Kingston. For instance, a Zoning By-law Amendment was approved for a property known as 464 Frontenac Street included minimum dimensions of 2.6 metres by 5.2 metres for standard parking and 3.7 metres by 5.2 metres for Type A accessible spaces. The minimum parking stall dimensions approved for 390 King Street West (Isabel Bader Centre for the Performing Arts) are also 2.6 metres by 5.2 metres. This approval set the benchmark for parking stall dimensions and is consistently used across the City. Despite a reduced parking stall size, the provided parking will meet the needs of site users.

Accessible Parking Requirement (min.)

The General Provisions of Zoning By-law 8499 requires accessible parking to be provided at a rate of 4 percent of the required parking supply. It is proposed to provide five accessible parking space on Block D which meets the necessary zoning requirement. No amendment to accessible parking space supply is proposed.

Accessible Parking Design Standards

The General Provisions of Zoning By-law 8499 require the following accessible parking stall dimensions:

- / Type A: 3.4 m x 6.0 m
- / Type B: 2.7 m x 6.0 m
- / Access Aisle: 1.5 m x 6.0 m

It is proposed to reduce the length of Type A, Type B, and the Access Aisle to 5.2 metres and reduce the Type B parking stall width to 2.6 metres in order to maximize site efficiency. The proposed length and Type B width reduction will ensure there is consistency across all parking spaces provided on Block D. Despite a reduced parking stall size, the provided parking will meet the needs of site users.

Parking Location

The General Provisions of Zoning By-law 8499 require parking to be located within an enclosed building or to the rear of a point midway between the front and rear wall of the main building when this main building is situated on a lot which abuts one street only but not within any front yard space. Parking for Block D is proposed to be located behind the front wall of the main building and within an underground parking garage. While an amendment is not necessary, minor changes are proposed to regulate the parking location on Block D consistent with the needed changes for Block C.

Loading Facilities (min)

The General Provisions of Zoning By-law 8499 require two loading spaces on the subject site based on the proposed commercial and hotel uses. It is proposed to reduce the required loading spaces on Block D from two spaces to one space. Based on the small-scale commercial uses proposed in combination with the hotel use, it

is the intent that all uses on Block D would share one loading space. Based on the scale of the uses, one loading space is appropriate to meet the needs of Block D.

Driveway Width

The General Provisions of Zoning By-law 8499 requires driveways in residential zones to have a minimum width of 3.0 metres and a maximum width of 6.0 metres or 40 percent of the lot width. It is proposed that Block D will share the vehicular entrance which is proposed on Block B. The proposed shared entrance will allow for efficient use of land and overall site layout and reduced the amount of paved area on the subject site. Therefore, it is proposed to amend this requirement to allow off-site vehicular access.

Bicycle Parking

The General Provisions of Zoning By-law 8499 requires 1 bicycle parking space to be provided per dwelling unit. The proposed development of Block D will provide 1 bicycle parking space per residential dwelling unit, therefore no amendment is proposed. A surface visitor bicycle parking area will be provided on Block D.

Projections into Yards

The General Provisions of Zoning By-law 8499 provides zoning requirements for unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered as follows:

- / Max. Area: 30 square metres
- / Min. Interior Side Yard Setback: 2.5 metres
- / Min. Rear Yard Setback: 4 metres
- / Min. Front Yard Setback: 7.5 metres

Although no balconies are currently proposed, they may be added through future detailed design work or added to support the potential future residential use of the building, therefore it is the intent to establish the necessary zoning provisions through the current amendment. It is proposed to reduce the north and south interior side yard setbacks for balconies to 2.5 metres. A reduction to 2.5 metres would allow for design flexibility should balconies be added. No change or amendment is proposed to the area, front or rear setbacks.

Amenity Areas

The General Provisions of Zoning By-law 8499 do not require amenity area to be provided for hotel uses, but require amenity space to be provided for multiple residential units at a rate of 18.5 square metres per dwelling unit, designed and located so that the length does not exceed four times the width, and if aggregated into communal spaces the areas are not to be less than 54 square metres. As currently proposed Block D will consist of hotel uses. However, the building may be re-purposed to residential in the future and it is the intent to establish the necessary zoning provisions to support the change. It is proposed to establish an amenity area requirement of 10 square metres per dwelling unit. A requirement of 10 square metres per dwelling unit aligns with the requirement for multiple dwelling unit buildings located within the City's Central Business District and within the Williamsville Main Street Corridor. The overall development of Union Park will feature large areas of open space for the benefit of all residents. It is also important to highlight that Block D would benefit from the landscaped area and park space to be provided on Block E, which does not form part of the site's calculated amenity area. Despite a reduce amenity area requirement, the proposed development would provide areas both interior and exterior to the building to support the recreational and leisure needs of residents. All spaces will be designed so the length does not exceed four times the width. Interior common amenity areas may be aggregated into spaces smaller than 54 square metres therefore it is proposed to reduce the aggregate amenity area requirement to 40 square metres.

Block E – Site-Specific Private Open Space (OS2.XX5) Zone

It is proposed to apply a site-specific Private Open Space (OS2) Zone to Block E to allow the proposed privately owned, public park. Our review below examines the proposed uses and provisions against the zone provisions of the OS2 zone and General Provisions of Zoning By-law 8499.

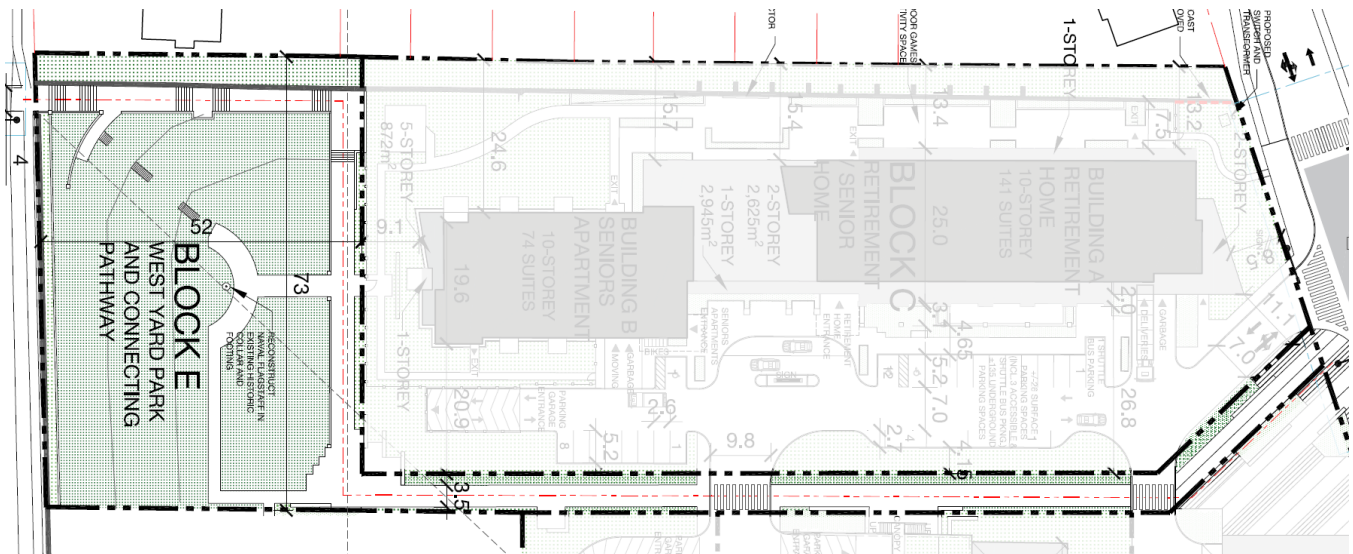


Figure 41: Close up of concept plan, proposed Block E (Source: Fotenn Planning + Design)

Permitted Uses

The following uses are permitted by the parent OS2 zone:

- / Farms;
- / Market garden;
- / Nurseries and green houses provided that no retail stand or commercial structure is maintained in connection therewith;
- / And on farms, for each 4.0 ha there shall not be more than one family dwelling;
- / Parks;
- / Golf courses;
- / Playgrounds;
- / Parkways;
- / Tennis courts;
- / Bowling greens and swimming pools (but not commercially operated stadiums, driving tees, ranges or miniature golf courses and similar uses operated for hire or gain);
- / Sanitariums;
- / Churches and religious institutions;
- / Public or private day schools;
- / Community Homes;
- / Cemeteries;
- / Accessory buildings.

A park is proposed on Block E which will have an easement for public use. No amendment is proposed to the permitted uses.

Building Height (max.)

The OS2 zone permits a maximum building height of 23.0 metres. No buildings or structures are proposed on Block E, therefore no amendment is proposed to this provision.

Front Yard (min.)

The OS2 zone requires a minimum front yard of 9.0 metres. No buildings or structures are proposed on Block E, therefore no amendment is proposed to this provision.

Side Yard (min.)

The OS2 zone requires a side yard to be provided on either side of a building, have a minimum width of 23.0 metres, and a minimum aggregate width of 61.0 metres. No buildings or structures are proposed on Block E, therefore no amendment is proposed to this provision.

Rear Yard (min.)

The OS2 zone requires a minimum rear yard of 15.0 metres. No buildings or structures are proposed on Block E, therefore no amendment is proposed to this provision.

Lot Width (min.)

The OS2 zone requires a minimum lot width of 91.0 metres. The proposed lot fabric of Block E will result in a flag shape which connects Union Street to the West Yard and to King Street West. It is the intent of Block E to provide a continuous pedestrian pathway from Union Street to King Street West, which results in the creation of a narrow frontage on Union Street of 6.0 metres. Despite this reduced frontage and pathway portion of the site, the proposed park block will be appropriately sized to support resident and visitor needs.

Lot Area (min.)

The OS2 zone requires a minimum lot area of 0.8 hectares. Block E is proposed to have a lot area of 0.48 hectares. Despite a reduced lot area, Block E will be sufficiently sized and form part of the larger Union Park development to support resident and visitor needs.

7.0 Conclusion

Siderius Developments Ltd. is seeking to redevelop the subject site at 40 Sir John A MacDonald Boulevard, containing the Part IV designated former Prison for Women. The property is currently an underutilized brownfield site, and the former Prison for Women building is functionally obsolete, has internal designated hazardous substances, and has sat idle and unattended to for over 21 years. The intention of the redevelopment is to create a carefully designed, compact community with a healthy mix of uses, context-sensitive buildings, as well as well-formed and pedestrian-friendly open spaces. The intent is to animate the area by seamlessly integrating a mix of residential, commercial, and open space uses.

The requested Official Plan Amendment is necessary to re-designate the site from Major Institution to Housing District on Schedule 2 and to re-designate the site from Institutional to Residential and a site-specific policy area on Schedule 3-A and 3-D. The application for Zoning By-law Amendment is intended to permit the redevelopment and intensification of the subject site through the establishment of three site-specific Multiple Family Dwelling (B3) Zones for Blocks B, C, and D to permit the proposed residential, commercial and seniors' housing uses, a site-specific Private Open Space (OS2) Zone for Block E to allow the proposed open space area of the development, and the introduction of a Holding Symbol for Block A to require a future application for Zoning By-law Amendment prior to future development. The application for Draft Plan of Subdivision will allow the subject site to be subdivided as proposed. Overall, applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision are necessary to facilitate the proposed development of 40 Sir John A MacDonald Boulevard.

Supporting studies have been submitted, including a heritage conservation strategy, urban design and shadow study, servicing and stormwater management report, tree inventory, traffic impact and parking study, stage 4 archaeological report, wind and snow assessment, environment site assessment, and noise and vibration study. The studies demonstrate adequate servicing and infrastructure are available for the proposed development and the proposed development can be integrated into the surrounding urban landscape while enhancing the subject site.

The Provincial Policy Statement and City of Kingston Official Plan are supportive of intensification within a municipally serviced area when it occurs in a manner that is compatible with the neighbourhood context, meets the functional needs of users, and does not result in negative impacts on other properties. The redevelopment of the subject site with residential, commercial, and open space uses will contribute to Kingston's goal of residential intensification while meeting the needs of users without incurring negative impacts. The proposed Zoning By-law Amendment describes appropriate performance standard which recognize the proposed built form and subdivision design with the intent of supporting land use compatibility.

Union Park has been designed with careful consideration of architecture, urban design, land use planning, landscape architecture, heritage conservation and engineering tools and strategies. Through this, the redevelopment will achieve a dramatic transformation of a property that for decades was cut off from the surrounding area and City of Kingston by prison walls. By integrating large areas of open space, providing site permeability, a carefully considered mix of uses, and respectful and suitable building designs, Union Park will become a key landmark anchor for the City. Although currently overlooked, Union Park will become a dynamic destination for residents and visitors of Kingston.

The proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision have regard for the Planning Act, are consistent with the Provincial Policy Statement and conform to the policies Kingston's Official Plan. The proposal will result in a development which is compatible with and complements the neighbourhood context while also representing an appropriate use of the subject lands. It is our professional planning opinion that these applications represent good planning.

If you have any questions or should you require any additional information, please do not hesitate to contact the undersigned at 613.542.5454.

Respectfully,

A handwritten signature in dark ink, appearing to read "Mike Keene". The signature is fluid and cursive, with the first name "Mike" and last name "Keene" clearly distinguishable.

Mike Keene, MCIP RPP
Principal, Planning + Development
Fotenn Planning + Design

Appendix A

Proposed Official Plan Amendment

By-Law Number 2021-__

A By-Law To Amend The Official Plan For The City Of Kingston Planning Area (Amendment Number __, known municipally as 40 Sir John A MacDonald Boulevard)

Passed: [Date]

Whereas on [Date] Fotenn Planning + Design, on behalf of Siderius Development Ltd., submitted an application for Official Plan Amendment for the property municipally known as 40 Sir John A MacDonald Boulevard; and

Whereas a public meeting was held regarding this amendment on ____, ____;

Now Therefore the Council of The Corporation of the City of Kingston, in accordance with the provisions of Section 17 of the Planning Act, R.S.O. 1990, c.P13, hereby enacts as follows:

1. The Official Plan for the City of Kingston is hereby amended by the following map changes which shall constitute Amendment No. __ to the Official Plan for the City of Kingston.
 - (a) **Amend** Schedule '2 City Structure' of the Official Plan for the City of Kingston, so as to designate 40 Sir John A MacDonald Boulevard, as shown on Schedule 'A' to By-Law Number ____-__ as "Housing District".
 - (b) **Amend** Schedule '3-A Land Use' of the Official Plan for the City of Kingston, so as to designate 40 Sir John A MacDonald Boulevard, as shown on Schedule 'B' to By-Law Number ____-__ as 'Residential'.
 - (c) **Amend** Schedule '3-D Site Specific Policies' of the Official Plan for the City of Kingston, so as to designate 40 Sir John A MacDonald Boulevard, as shown on Schedule 'C' to By-Law Number ____-__ as a 'Site Specific Policy Area'.
 - (d) **Add** a new Section after 3.17.66 with the following additions to the policy:
 - i) **Add** a margin heading called "40 Sir John A MacDonald, Residential, Schedule 3-D, SSP Number XX"
 - ii) **Add** the following text and subsections to Section 3.17.__: "For the area identified on Schedule 3-D of this Plan and as SSP Number __, the following policies apply:
 1. The lands identified as Residential on Schedule 3-A and identified on Schedule 3-D as Area XX located at the southwest corner of Sir John A MacDonald Boulevard and Union Street and municipally known as 40 Sir John A MacDonald Boulevard, are intended to be developed as a carefully designed, compact community with a healthy mix of uses, a pedestrian-friendly public realm, context-sensitive buildings, and well-formed open spaces. The lands are suitable to accommodate a mix of uses and mid-rise and high-rise buildings to support expansive open space and a friendly pedestrian environment.

The history of the site and heritage designation are intended to be considered, celebrated, respected and complemented by new development. It is the intent that the lands be developed in accordance with the Residential policies of this Plan and the following specific policies:

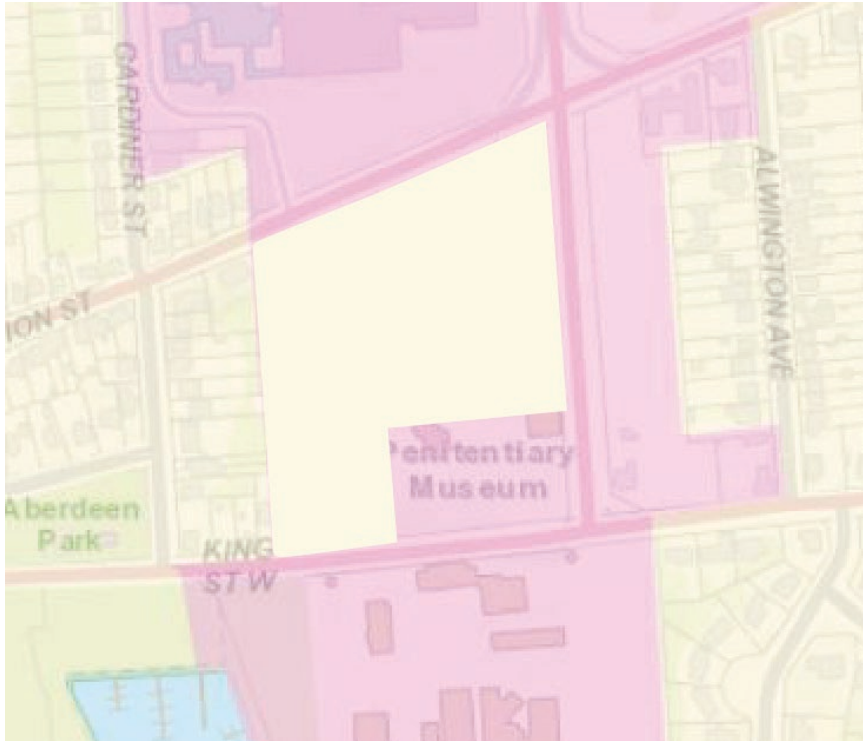
- a. Integrate a mix of residential, commercial and open space uses;
- b. Buildings should be setback from the street frontages and separated on site to ensure identified heritage views are protected within the site, from Sir John A MacDonald Boulevard, Union Street, King Street West, the West Yard, and Portsmouth Olympic Harbour;
- c. Integrate open space between the rehabilitated Prison for Women and new buildings on the subject site through well designed yards and landscaped areas, pedestrian pathways, terraces/patios and similar public realm uses;
- d. To the extent possible, parking should be provided in underground parking garages to ensure the maximum open space possible. It is recognized that some surface parking is desirable and necessary to serve the buildings on-site and that underground parking provides challenges related to cost, access and layout. Each of these factors should be considered in the context of the entire site design and functionality;
- e. Maximize the building separation between the rehabilitated Prison for Women and new buildings, considering setbacks from Sir John A MacDonald Boulevard and Union Street, as well as emphasis on on-site open space, landscaped areas, and provisions for entrances, lanes, surface parking and other functional requirements;
- f. Ensure visual compatibility between new and existing buildings on the site. Buildings should incorporate a strong podium like feature which relates to and establishes a relationship with the rehabilitated Prison for Women building;
- g. Building materials reflective of the architecture of the rehabilitated Prison for Women, such as stone and glass, should be incorporated into podium designs of new buildings, while greater opportunity for diversity and distinction in design and materiality should be provided above the podium;
- h. Development is required to conform with the recommendations and requirements set forth in the Heritage Conservation Strategy prepared by Common Wealth Historic Resource Management and Barry Padolsky dated ___, 2021.
 - This by-law shall come into force and take effect on the day that is the day after the last day for filing an appeal pursuant to the Planning Act, provided that no Notice of Appeal is filed to this by-law in accordance with the provisions of Section 17(24) of the *Planning Act*, as amended; and where one or more appeals have been filed within the time period specified, at the conclusion of which, this by-law shall be deemed to have come into force and take effect on the day the appeals are withdrawn or dismissed, as the case may be.

Given all Three Readings and Passed: [Date]

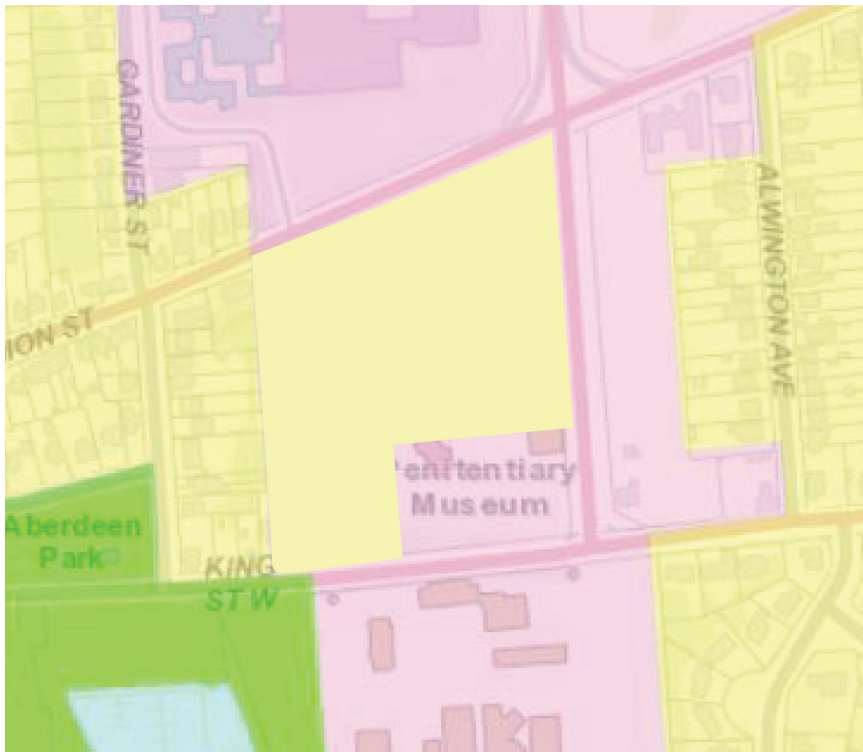
John Bolognone
City Clerk

Bryan Paterson
Mayor

Schedule A



Schedule B



Schedule C



Appendix B

Proposed Zoning By-law Amendment

By-Law Number 2021-XX

A By-Law to Amend By-Law Number 8499, “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston” (Zone Change from Special Education and Medical Uses (E2) Zone to site-specific Special Education and Medical Uses (E2(H).XX1) Zone, site-specific Multiple Family Dwelling (B3.XX2) Zone, site-specific Multiple Family Dwelling (B3.XX3) Zone, site-specific Multiple Family Dwelling (B3.XX4) Zone, and site-specific Private Open Space (OS2.XX5) Zone, 40 Sir John A MacDonald Boulevard)

Passed: [Meeting Date]

Whereas by Order of the Minister of Municipal Affairs and Housing, The Corporation of the Township of Kingston, The Corporation of the Township of Pittsburgh and The Corporation of the City of Kingston were amalgamated on January 1, 1998 to form The Corporation of the City of Kingston as the successor municipal corporation and pursuant to the Minister’s Order, any by-laws of the former municipality passed under the Planning Act continue as the by-laws covering the area of the former municipality now forming part of the new City; and

Whereas the Council of The Corporation of the City of Kingston deems it advisable to amend By-Law Number 8499, as amended, of the former City of Kingston;

Therefore be it resolved that the Council of The Corporation of the City of Kingston hereby enacts as follows:

1. By-Law Number 8499 of The Corporation of the City of Kingston, entitled “Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston” as amended, is hereby further amended as follows:
 - 1.1. Map 29 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘E2’ to ‘E2(H)’, as shown on Schedule “A” attached to and forming part of By-Law Number 2020-XXX.
 - 1.2. By adding a new Section XX1 to Part VIII – Exceptions to the Various Zone Classifications, as follows:

“XX1. 40 Sir John A MacDonald Boulevard (Block A)

Notwithstanding the provisions of Sections 5 and Section 12 hereof to the contrary, on the lands designated ‘E2(H).XX1’ on Schedule “A” hereto, the following regulations shall apply:

- (i) Holding Symbol
 - a. The use and removal of the Holding (H) Symbol must be in accordance with the provisions of Section 5.39 of this By-Law
 - b. The Holding Symbol must not be removed until such time as the following requirements have been met to the satisfaction of the municipality:
 - c. An application for Zoning By-law Amendment, which is consistent with the Site Specific Policy Area Official Plan policies has been submitted, processed by municipal staff and approved by Council;
 - d. All applicable municipal requirements and financial arrangements have been completed to the satisfaction of Council; and
 - e. All necessary Agreements, such as the Subdivision Agreement or Site Plan Control Agreement, have been registered on title.

- 1.3. Map 29 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘E2’ to ‘B3.XX2’, as shown on Schedule “A” attached to and forming part of By-Law Number 2020-XXX.
- 1.4. By adding a new Section XX2 to Part VIII – Exceptions to the Various Zone Classifications, as follows:

“XX2. 40 Sir John A MacDonald Boulevard (Block B)

Notwithstanding the provisions of Sections 5 and 16 hereof to the contrary, on the lands designated ‘B3.XX2’ on Schedule “A” hereto, the following regulations shall apply:

- (i) Permitted Uses:
 - a. Multiple family dwellings;
 - b. Accessory buildings;
 - c. Senior Citizen Apartments;
- (ii) Building Height (maximum): 20.0 metres (four storeys)
- (iii) Front Yard (minimum): 7.5 metres
- (iv) Side Yard (minimum):
 - a. North: 6.0 metres
 - b. South: 8.0 metres
 - c. Aggregate: 14.0 metres
- (v) Rear Yard (minimum): 4.0 metres
- (vi) Percentage of Lot Occupancy (maximum): 100%
- (vii) Density (max): 123 dwelling units per net hectare
- (viii) Percentage of Landscape Open Space (minimum): 30%
- (ix) Parking (minimum) 1 space per dwelling unit
- (x) Parking Space Dimensions (minimum): 2.6 metres x 5.2 metres
- (xi) Accessible Parking: 4 % of required parking spaces
- (xii) Accessible Parking Space Dimensions (minimum):
 - a. Type A: 3.4 metres x 5.2 metres
 - b. Type B: 2.6 metres x 5.2 metres
 - c. Access Aisle: 1.5 metres x 5.2 metres
- (xiii) Parking Location for B3:
 - a. within an enclosed building, or
 - b. no closer to the street line than the nearest wall of the main building to the street line, or
 - c. on a lot not more than 60.0m from the lot upon which the main building is situated, but shall not occupy any front yard space.
- (xiv) Driveway Width: Minimum = 3.0 metres, Maximum = 7.0 metres
- (xv) Bicycle Parking: 1 space per dwelling unit
- (xvi) Projections into Yards
 - a. Max. Area: 30 square metres
 - b. Min. Interior Side Yard Setback: 6.0 metres
 - c. Min. Rear Yard Setback: 4 metres
 - d. Min. Front Yard Setback: 7.5 metres
- (xvii) Structures Permitted Above the Height Limit: The height regulations herein set forth shall not apply to a cupola occupying in the aggregate less than 10 per cent of the area of the roof of the building on which they are located.
- (xviii) Amenity Area:
 - a. A min. of 18.5 square metres of amenity area shall be provided for each dwelling unit;
 - b. Amenity areas shall be designed and located so that the length does not exceed four times the width;

- c. Communal amenity areas must be aggregated into one area or grouped into areas of not less than 40 square metres;
 - d. Where an amenity area, provided as an outdoor area exterior to the residential building, is located at grade level, it may be included in the calculation of landscaped open space requirements.”
- 1.5. Map 29 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘E2’ to ‘B3.XX3’, as shown on Schedule “A” attached to and forming part of By-Law Number 2020-XXX.
- 1.6. By adding a new Section XX3 to Part VIII – Exceptions to the Various Zone Classifications, as follows:

“XX3. 40 Sir John A MacDonald Boulevard (Block C)

Notwithstanding the provisions of Sections 5 and 16 hereof to the contrary, on the lands designated ‘B3.XX3’ on Schedule “A” hereto, the following regulations shall apply:

- (i) Permitted Uses:
 - a. Multiple family dwellings;
 - b. Accessory buildings;
 - c. Community Homes;
 - d. Senior Citizen Apartments;
 - e. Residential Care Facilities; and
 - f. Personal Service Shop.
- (ii) Building Height (maximum): 35.1 metres (10 storeys) + Mechanical Penthouse
- (iii) Front Yard (minimum): 7.5 metres
- (iv) Side Yard (minimum):
 - a. West: 13.0 metres
 - b. East: 11.0 metres
 - c. Side Yard abutting a lot occupied by one- and two-family dwellings: 13.0 metres
- (v) Aggregate Side Yard (minimum): 24.0 metres
- (vi) Rear Yard (minimum): 9.1 metres
- (vii) Percentage of Lot Occupancy (maximum): 240 %
- (viii) Density (maximum): 230 dwelling units per net hectare
- (ix) Percentage of Landscape Open Space: 30%
- (x) Parking Requirement (minimum):
 - a. Retirement Home: 0.6 parking spaces per dwelling unit, Retirement Residence Suites are equal to 0.5 dwelling units
 - b. Seniors Apartment: 0.6 parking spaces per dwelling unit
- (xi) Parking Space Dimensions (minimum): 2.6 metres x 5.2 metres
- (xii) Accessible Parking: 4 % of required parking spaces
- (xiii) Accessible Parking Space Dimensions (minimum):
 - a. Type A: 3.4 metres x 5.2 metres
 - b. Type B: 2.6 metres x 5.2 metres
 - c. Access Aisle: 1.5 metres x 5.2 metres
- (xiv) Parking Location for B3
 - a. within an enclosed building, or
 - b. no closer to the street line than the nearest wall of the main building to the street line, or
 - c. on a lot not more than 60.0m from the lot upon which the main building is situated, but shall not occupy any front yard space.
- (xv) Driveway Width: Minimum = 3.0 metres, Maximum = 7.0 metres
- (xvi) Bicycle Parking (minimum): 12 bicycle parking spaces
- (xvii) Amenity Area (minimum):
 - a. A min. of 10 square metres of amenity area shall be provided for each dwelling unit;

- b. Amenity areas shall be designed and located so that the length does not exceed four times the width;
 - c. Where an amenity area, provided as an outdoor area exterior to the residential building, is located at grade level, it may be included in the calculation of landscaped open space requirements.”
- 1.7. Map 29 of Schedule “A”, as amended, is hereby further amended by changing the zone symbol of the subject site from ‘E2’ to ‘B3.XX4’, as shown on Schedule “A” attached to and forming part of By-Law Number 2020-XXX.
- 1.8. By adding a new Section XX4 to Part VIII – Exceptions to the Various Zone Classifications, as follows:

“XX4. 40 Sir John A MacDonald Boulevard (Block D)

Notwithstanding the provisions of Sections 5 and 16 hereof to the contrary, on the lands designated ‘B3.XX4’ on Schedule “A” hereto, the following regulations shall apply:

- (i) Permitted Uses:
 - a. Primary Permitted Uses
 - Multiple Family Dwellings;
 - Hotel;
 - b. Complementary Permitted Uses (not to exceed 15 percent of the gross floor area of the building in which they are located):
 - Retail stores or shops (including retail stores selling general services);
 - Restaurants, restaurant-dine-in, restaurant-outdoor patio, restaurant-take-out
 - Neighbourhood stores;
 - Personal service shop;
 - Medical or dental clinic;
 - Veterinary Clinic;
 - Pharmacy;
 - Offices for or in connection with businesses or professions;
 - Social or recreational club;
 - Gym or personal training facility;
 - Parcel delivery service and retail use.
- (ii) Building Height (maximum): 40.0 metres, up to 10 storeys
- (iii) Front Yard (minimum): 9.0 metres
- (iv) Side Yard (minimum):
 - a. North: 4.0 metres
 - b. South: 4.0 metres
- (v) Aggregate Side Yard (minimum): 8.0 metres
- (vi) Rear Yard (minimum): 40.0 metres
- (vii) Percentage of Lot Occupancy (maximum): 270 %
- (viii) Density (maximum): 350 dwelling units per net hectare
- (ix) Percentage of Landscape Open Space (minimum): 30 %
- (x) Parking Requirement (minimum):
 - a. Residential Use: 0.9 spaces per unit
 - b. Hotel: 0.9 spaces per room
 - c. Hotel Bus Parking: 1 bus parking space required
 - d. Any complementary commercial: 1 space per 28 square metres of gross floor area
- (xi) Parking Space Dimensions (minimum): 2.6 metres x 5.2 metres
- (xii) Accessible Parking Requirement (minimum): 4% of the required parking
- (xiii) Accessible Parking Space Dimensions (minimum):
 - a. Type A: 3.4 metres x 5.2 metres
 - b. Type B: 2.6 metres x 5.2 metres

- c. Access Aisle: 1.5 metres x 5.2 metres
 - (xiv) Parking Location for B3:
 - a. within an enclosed building, or
 - b. no closer to the street line than the nearest wall of the main building to the street line, or
 - c. on a lot not more than 60.0m from the lot upon which the main building is situated, but shall not occupy any front yard space.
 - (xv) Loading Spaces (minimum): 1 loading space
 - (xvi) Driveway: A shared entrance is permitted with 50 metres of the site
 - (xvii) Bicycle Parking (minimum):
 - a. Hotel: Not Required
 - b. Residential: 1 space per unit
 - (xviii) Projections into Yards:
 - a. Max. Area: 30 square metres
 - b. Min. Interior Side Yard Setback: 2.5 metres
 - c. Min. Rear Yard Setback: 4 metres
 - d. Min. Front Yard Setback: 7.5 metres
 - (xix) Amenity Area:
 - a. A min. of 10 square metres of amenity area shall be provided for each dwelling unit;
 - b. Amenity areas shall be designed and located so that the length does not exceed four times the width;
 - c. Communal amenity areas must be aggregated into one area or grouped into areas of not less than 40 square metres;
 - d. Where an amenity area, provided as an outdoor area exterior to the residential building, is located at grade level, it may be included in the calculation of landscaped open space requirements."
- 1.9. Map 29 of Schedule "A", as amended, is hereby further amended by changing the zone symbol of the subject site from 'E2' to 'OS2.XX5', as shown on Schedule "A" attached to and forming part of By-Law Number 2020-XXX.
- 1.10. By adding a new Section XX5 to Part VIII – Exceptions to the Various Zone Classifications, as follows:
- "XX5. 40 Sir John A MacDonald Boulevard (Block E)**
- Notwithstanding the provisions of Sections 5 and 19 hereof to the contrary, on the lands designated 'OS2.XX5' on Schedule "A" hereto, the following regulations shall apply:
- (i) Height (maximum): 23.0 metres
 - (ii) Front Yard (minimum): 9.0 metres
 - (iii) Side Yard (minimum):
 - a. a side yard shall be proxied on either side of the main building,
 - b. the minimum aggregate side yard width shall be not less than 61.0 m, and
 - c. each side yard shall not, at any point in its length be a lesser width than 23.0 m.
 - (iv) Rear Yard (minimum): 15.0 metres
 - (v) Lot Width (minimum): 6 metres
 - (vi) Lot Area (minimum): 0.48 ha"

2. That this by-law shall come into force in accordance with the provisions of the *Planning Act*.

Given all Three Readings and Passed: [Meeting Date]

John Bolognone
City Clerk

Bryan Paterson
Mayor

Schedule A

